

2/21/55

FROM : SAC, NEW YORK (100-100000)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-10-99 BY 60261 NIS/EP/00

SUBJECT: EX-COMMUNISTS AS WITNESSES

901820

1. Matusow Case

As you are aware, on January 12, 1955 when Matusow announced that he had lied as a government witness, I instructed Mr. Tompkins and Mr. Lumbard to conduct an investigation to get at the facts. In connection with this investigation will you please see that the following steps are taken:

(a) The FBI and the Internal Security Division, and the IRS should see to it that their records are appropriately marked to show the unreliability of this witness so that in the future no one will be misled about same. These markings should of course be dated and initialed by the person who marks the changes. This same practice should be followed in the future as to any other government witness hereafter found to be unreliable.

(b) The FBI should furnish me a list of any employee security cases in which evidence furnished by Matusow was used. If there are any such cases appropriate steps should immediately be taken to notify the agency where the employee's case was processed, with a recommendation that that case be reviewed and appropriate action taken in fairness to the employee.

(c) Mr. Rogers is preparing instructions for departmental attorneys and prosecutors emphasizing their responsibility in determining reliability of witnesses prior to their use by the government.

(d) Messrs. Tompkins and Lumbard are preparing a report on the Matusow case for me. This will involve not only the results of their investigation into the 1952 New York Communist trial and the Jones case, but also a report on any other court cases or Subversive Activities Control Board cases in which Matusow participated as a government witness. It will also contain a recommendation as to action to be taken by the Department of Justice to protect the rights of the government and of the defendant in all such cases. It will also present any evidence which the government obtains as to whether the Communist Party, U.S.A. or any of its agents, is engaged in a campaign to discredit government witnesses.

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FBI NEW YORK

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FBI NEW YORK

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170 MAR 11 1955

3 Outlets
2-21-55

100-100000-100

Office Memorandum • UNITED STATES GOVERNMENT

DATE: February 21, 1955

TO : Messrs. Rogers, Hoover, Swing,
Tompkins and Olney - page 2

FROM : Herbert Brownell, Jr.

SUBJECT:

2. Watson Case

General Swing will immediately turn over to Mr. Olney all information received from the FGC or otherwise indicating perjury by Watson. Mr. Olney will arrange to have an FBI investigation made with a view to prosecution. Mr. Olney will obtain the usual official request from the FGC for the Department of Justice to act.

The FBI will furnish me a list of any employee security cases in which testimony from Watson was used. In accordance with the principles stated above, the affecting agency will be notified to examine the effect of any such testimony on proceedings already had. The INS will furnish me with a list of immigration cases - whether naturalization, deportation or otherwise - in which Watson testified, and also a recommendation as to whether or not any case should be re-opened in fairness to the individuals involved in the proceedings.

I noticed in the newspaper that a lawyer in Cleveland has already appealed to the Department to re-open an immigration case there in which Watson is said to have participated as a government witness.

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3. [] Case

Mr. Olney will continue his present course of action to determine whether [] committed perjury, and will obtain from the FGC the usual formal request for investigation and prosecution. If the results of the investigation justify it he will proceed with Grand Jury action.

4. Swatic Case

Mr. Tompkins will make a report to me as to the cases and proceedings in which this man has been used as a government witness, and will give me his recommendations as to whether any of them should be re-opened.

5. Patterson and Manning Johnson

Mr. Tompkins will complete his report to me as to whether the action of these two government witnesses in the Balch Bunch case before the International Organization Loyalty Board requires any additional action in that proceeding, and whether it requires any re-appraisal of their reliability as government witnesses in future proceedings.

Handle all matters as before in 2 & 3 with the Loyalty Board members A. G. Brownell

9 PM

4-22

FEDERAL BUREAU OF INVESTIGATION
RECORDS SECTION

4-15, 195

☐ Name Check Unit-Room 6523
☐ Attention _____
☐ Service Unit-Room 6524
☐ Forward to File Review
☒ Return to Tinton Ext. 2337
Supervisor
Room 7509

☒ All References after 1-1-55
☐ Subversive References
☐ Main References Only
☐ Main _____ References Only
☐ Restrict to Locality of _____
☐ Breakdown ☐ Buildup ☐ Variations
☐ Exact Name Only
☐ Exact Spelling
☐ Check for Alphabetical Loyalty Form

SUBJECT EX-COMMUNISTS AS WITNESSES
Address _____

Localities _____
Birthdate & Place _____

R# _____ Date 4-15 Searcher Initial rvo

New 100 on

FILE NUMBER SERIAL

66-6200-134-103 ✓ cc

62-34781-1026

100-372598-435 ✓ cc

100-375988-1070

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DATE 10-10-99 BY 60261 NIS/EP/DD
901820

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

DATE: December 30, 1953

FROM : MR. D. M. LADD

SUBJECT: SUGGESTION THAT CONSIDERATION BE GIVEN TO COMMUNISTS AND EX-COMMUNISTS WHO COOPERATE WITH THE GOVERNMENT

Tolson _____
 Ladd _____
 Nichols _____
 Belmont _____
 Clegg _____
 Glavin _____
 Harbo _____
 Rosen _____
 Tracy _____
 Gearty _____
 Mohr _____
 Winterrowd _____
 Tele. Room _____
 Holloman _____
 Sizoo _____
 Miss Gandy _____

SYNOPSIS

Committee consisting of Messrs. Clegg, Belmont and myself considered the problem of furnishing some assurance to Communists and ex-Communists in Government service who cooperate with the Government that due consideration will be given to such cooperation, particularly under the Security of Government Employees Program. Committee rejected suggestion that President issue amendment to EO 10450 and agreed that Attorney General could consider issuance of statement to effect that such individuals by coming forward and identifying themselves can perform a certain service and they may be assured their cooperation will be taken into consideration in the application of the provisions of the present Directives on Security of Government Employees. Also, suggested that if such statement issued by Attorney General; statement could be discussed by Attorney General with members of Cabinet.

RECOMMENDATION

It is recommended that this matter of giving assurance to Communists and ex-Communists who come forward and cooperate with the Government be discussed with the Attorney General, with the thought in mind that the Attorney General may wish to issue a statement indicating that consideration will be given to such Government employees dependent upon the facts in each individual case. Such a statement coming from the Attorney General may have considerable effect and induce Communists and ex-Communists to furnish information to the Government on their past activities.

cc - Mr. Tolson
 Mr. Nichols
 Mr. Belmont
 Mr. Clegg
 Mr. Baumgardner

ALL INFORMATION CONTAINED
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 DATE 10-12-99 BY 60267 NIS/EP/DD

901820

Consideration Given To Communist and Ex-Communist
 Who Cooperate With The Government

103-3-1
 4

66-6200-140-
 100-351669-

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MAY 4 - 1956
 FEB 28 1954

RECORDED - 90
 INDEXED - 90
 FEB 19 1954

EX-126

FEB 19 1954

DETAILS

In accordance with the instructions of Mr. Tolson, a committee consisting of Messrs. Clegg, Belmont and myself have considered the problem of affording some assistance or recognition to Communists and ex-Communists who furnish complete details to the Government concerning their activities as Communists and otherwise cooperate with the Government. These individuals should be given as much consideration as possible. Due to their background, considerable faith must be placed in their motives and oftentimes the public and their employers may not be convinced of the sincerity of their renunciation. As an example, there are still people today who doubt Whittaker Chambers, Louis Budenz and others.

The feeling of ex-Communists in this matter was expressed in a letter to the Bureau dated November 9, 1953, from Ben Gitlow and Maurice Malkin, who both complained that they were considered "second-class" citizens. Gitlow and Malkin have never been Bureau informants, but they have cooperated with the Government in cases against Communists and are now employed as consultants by the Immigration and Naturalization Service on a per diem basis. They pointed out that it was their belief under the provisions of Presidential Executive Orders 9835 and 10450, that employment by the Government of ex-Communists is barred. The provisions of these Executive Orders do not bar the employment of ex-Communists in the Government, but it is necessary to thoroughly investigate all applicants and employees in the Executive Branch to obtain complete background information so that the head of a particular Department can make a determination as to whether the applicant or employee is disloyal. If any ex-Communist under investigation has been cooperative, such fact is made known to the proper agency. It is a matter for determination in each individual case, but nothing in either of the Executive Orders specifically bars from Federal employment ex-Communists who have shown their loyalty through cooperation.

The above-mentioned committee gave consideration to the issuance of an amendment to the Presidential Executive Order on Security of Government Employees which would recognize the assistance rendered by Communists and ex-Communists in the Government who come forward and identify themselves and furnish information relative to their previous activities. This amendment

would require the agencies in the Executive Branch to give due consideration to such cooperation before making a determination as to employment or retention in employment of the individual involved. Such a Directive could require the agency in such a case to state that due consideration was given to the employee's cooperative attitude when any decision relative to employment was reached. It was not believed that any blanket recommendation should be contained in said amendment as the matter of employment is a problem which must be handled by the agency and is dependent upon the circumstances in each case.

Consideration was given to the suggestion that an order be issued to individuals generally relative to their cooperating with the Government and if the President amends Executive Order 10450, a statement could be issued explaining the reason why such action was being taken and also indicating to the public generally that in private employment and professional pursuits the American people, having due regard for the faults of others, give full and complete consideration to individuals who renounce their Communist associations and make a full disclosure of such past activity. Such a statement coming from the President after the Director's article, "Breaking the Communist Spell" and the statements of various congressional committees would have considerable effect in giving Communists and ex-Communists who cooperate a greater recognition than they have been receiving. Any such statement by the President should, of course, be general in nature as the manner and degree of cooperation of each individual is a matter which would have to be considered on an individual basis and on its own merits.

The committee also considered the question of Communists and ex-Communists who cooperate with the Government, as in the case of Theodore Lit, and who at one time or another may have violated Federal or state laws on false swearing, fraud, etc., due to denials in the past of Communist affiliation or association.

CONCLUSIONS OF COMMITTEE

The committee felt that it would be difficult for the President to issue a statement on this matter, and a better plan would be for the Attorney General to do so. It will be recalled that the Attorney General has been designated to render advice to enable the agencies to establish and maintain an appropriate Security of Government Employees

Program. In view of that fact, the Attorney General would be the logical official to issue a statement such as herein proposed.

The committee considered whether in this statement the Attorney General should say that ex-Communists due to the conspiratorial nature of their past activity may have violated Federal laws and their present attitude and cooperation will be given the utmost consideration in any prosecutive action which may be pending against them or which may be considered in the future based upon their past activity.

The Attorney General need not grant any blanket immunity through such a statement, but could encourage ex-Communists to come forth on the assumption that their appearance will not immediately place their freedom in jeopardy and, in fact, there would be a good possibility that they would not be prosecuted.

With regard to state violations by Communists and ex-Communists, the Attorney General would have no power over such violations, but consideration was given to including in any statement of the Attorney General recognition by the Attorney General to such state violations and suggesting that the states give most careful consideration to Communists and ex-Communists who cooperate with the Government and who may have violated state laws while engaged in Communist activity in the past.

Careful consideration was given by the committee to the content of any statement by the Attorney General and it was decided that a statement could be issued as follows:

The Administration has been successful in eliminating from Government employment many individuals whose loyalty is doubtful and whenever such persons are located in the Government their services will be terminated. The Government cannot afford to tolerate in its employ individuals who

by their actions indicate a lack of wholehearted allegiance to this country. It is recognized, however, that Communists and ex-Communists in the Government service by coming forward and identifying themselves can be of particular assistance and they are encouraged to do so. Such individuals may be assured that their cooperation will be taken into consideration in the application of the provisions of the present Directives on Security of Government Employees, dependent upon the facts in each individual case.

It is felt that this matter should be discussed with the Attorney General and the suggestion made to the Attorney General that he may wish to issue a statement such as that which is set forth above.

During such discussion it may also be pointed out that the Attorney General may wish to discuss such a statement prior to its issuance or at the time of issuance at a Cabinet meeting so that all Department heads in the Government will be aware of the fact that due consideration should be given to individuals who renounce Communism and perform a service to the Government by furnishing information relative to past association and affiliation with Communist activities. Such a statement by the Attorney General may be of considerable value in granting assurance to individuals in the Government and elsewhere who are presently wavering in their allegiance to Communism and need some reassurance that their coming forward will be given as much consideration as possible.

I recommend a memo
to AG and Rogers passing
on the suggestion for
their consideration

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of

- 5 -

no action
at this time
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state

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ABR
for

CASE CONTAINING INFORMATION FURNISHED BY [REDACTED]

(1) [REDACTED] Civil Service Commission, AEAA; Fraud Against the Government, Bureau file 116-410610. The report of Special Agent Richard H. Ash, dated December 28, 1954, at Kansas City, Missouri. This report openly identifies [REDACTED]. One copy of the report was furnished to the Department by memorandum dated January 18, 1955.

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CASES CONTAINING INFORMATION FURNISHED BY HARVEY MARSHALL MATUSOW

(2) STEPHEN BRUNAUER - II AEAA, Bureau file 116-2863. The report of Special Agent Patrick E. Thorpe, dated August 10, 1950, contains information furnished by Matusow under the symbol T-32. This report was furnished to the Department on September 7, 1950. In addition, the report was furnished to the Atomic Energy Commission (AEC), the Office of Naval Intelligence (ONI), Civil Service Commission (CSC), Office of Secretary of Defense (OSD), Immigration and Naturalization Service (INS), and the State Department.

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(3) [REDACTED] Atomic Energy Act, Bureau file 116-170820. The report of Special Agent Lawrence H. Spillane, dated August 1, 1950, at New York, New York, contains information furnished by Matusow under the symbol T-7. One Photostat of this report was furnished to the Department. In addition, this report was disseminated to AEC, ONI, Department of the Air Force (AF), and the National Advisory Committee for Aeronautics (NACA).

(4) [REDACTED] Atomic Energy Act - Applicant (AEAA), Bureau file 116-305729. Albuquerque report dated March 25, 1952, contains paraphrasing of Matusow's testimony before House Committee on Un-American Activities on February 6, 1952. This report was not disseminated to the Department, however, it was disseminated to Military Intelligence (G-2), OSI, and AEC.

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DATE 10-10-99 BY 60361 NIS/EP/00
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100-375883

JRS

sent as att. w/memo to AG dated 3/2/55

100-418105-1X
100-157027040

9/14

(5) [redacted] WA - 48234, Atomic Energy Act - Applicant, Bureau file 116-303903. By memorandum dated January 13, 1953, information furnished to this Bureau by Harvey Matusow was transmitted to AEC and to the Chief of the Security Division at The Pentagon. This information was not furnished to the Department. In the cited memorandum, Matusow's identity was set out openly.

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(6) [redacted] Atomic Energy Act - Applicant, Bureau file 116-278034. Albuquerque report dated March 25, 1952, contains information furnished by Harvey M. Matusow before the House Committee on Un-American Activities. This report was not disseminated to the Department, however, it was furnished to OSI and AEC.

(7) [redacted] - SC - 5480 AEAA, Bureau file 116-248015. The report of Special Agent Julian H. Burttram, dated June 16, 1951, at Albuquerque, New Mexico, contained information furnished by Matusow under the informant symbol T-1. This report was not furnished to the Department, however, it was furnished to G-2 and AEC.

(8) [redacted] aka [redacted] - Special Inquiry - State Department PL 420, 80th Congress (VOA), Bureau file 123-7904. The report of Special Agent Bruno F. Dreyer, dated March 20, 1951, at San Antonio, Texas, wherein Matusow is carried as T-1, of known reliability, and results of interview with Matusow are set out. This report was disseminated to CSC and the Department on May 17, 1951, and to the State Department on April 27, 1951.

(9) [redacted] International Development Program, Bureau file 128-593. The report of Special Agent Edward C. Palmer, dated March 3, 1951, at Albuquerque, New Mexico, sets forth the results of information furnished by Matusow under the informant symbol T-3. This report was not furnished to the Department. On April 20, 1951, the State Department was furnished one copy of the report and on May 11, 1951, one copy of the report was furnished to the CSC.

(10) ALICE KING, aka Alice Greene, Alice Greenbaum, Mrs. Evan Robert King, National Science Foundation Act, Applicant, Bureau file 133-175. The report of Special Agent

Philip G. Jackson, dated March 17, 1954, at New York City, reflects that Harvey Marshall Matusow testified on November 27 and 28, 1951, before HCUA. This report was disseminated to the CSC and the Department on March 31, and April 5, 1954, respectively.

(11) [redacted] Applicant - United Nations, New York, New York, Loyalty of Employees of the United Nations and Other Public International Organizations, Bureau file 138-2779. The report of Special Agent Charles S. Ritz, dated October 19, 1954, at Dallas, Texas, sets forth the results of an interview with Harvey Matusow. Matusow's identity is set out openly. By memoranda dated October 29, 1954, the report was furnished to the Department and to the CSC.

(12) [redacted] nee [redacted] aka [redacted] [redacted] International Telecommunications Union, Geneva, Switzerland, Loyalty of Employees of the United Nations and Other Public International Organizations, Bureau file 138-2512. The report of Special Agent Thomas J. McKeon, dated August 25, 1954, at New York, reflects that Harvey Matusow, self-admitted former Communist Party member, advised employee's husband was member of Communist Party in 1948. Report was disseminated to the Department and CSC on September 3, 1954. b6 b7C

(13) [redacted] aka [redacted] Applicant - United Nations, New York, New York, Loyalty of Employees of the United Nations and Other Public International Organizations, Bureau file 138-2822. The report of Special Agent Roger Young, dated October 21, 1954, at New York, New York, contains information furnished by Matusow under the informant symbol T-2. The same report contains information furnished by Matusow at a public hearing of the House Committee on Un-American Activities in February, 1952. In connection with the latter, Matusow's identity is set out openly. A copy of the report was furnished to the Department by memorandum dated November 5, 1954. By memorandum of the same date copies of the report were furnished to the CSC.

(14) [redacted] aka "[redacted]" Indefinite Substitute Clerk, Post Office Department, Philadelphia, Pennsylvania, Security of Government Employees, Bureau file

140-3253. The report of Special Agent Bertram G. Worthington, dated May 14, 1954, at New York, New York, contains information furnished by Matusow under the informant symbol T-4. This same report openly identifies Matusow with respect to information furnished by him in February, 1952, at a public hearing of the House Committee on Un-American Activities. A copy of this report was furnished to the Department on June 3, 1954.

(15) [redacted] Machinist, Department of the Navy, Brooklyn, New York, Security of Government Employees, Bureau file 140-1965. Report of Special Agent George B. Stewart, dated December 15, 1953, at New York, New York, carries Harvey Marshall Matusow as T-3 and Matusow described the routine carried on at Camp Unity, Wingdale, New York. Report was disseminated to the CSC and the Department on December 28, 1953.

(16) [redacted] Department of the Navy, Brooklyn, New York, Security of Government Employees, Bureau file 140-4431. The report of Special Agent Douglas MacDougall, dated July 22, 1954, at New York, New York, reflects Matusow as T-7. This report was disseminated to the Department and CSC on August 24, 1954.

(17) [redacted] Department of Health, Education and Welfare, Bethesda, Maryland, Security of Government Employees, Bureau file 140-3671. By letter dated May 24, 1954, CSC was furnished information previously furnished to this Bureau by Matusow in April, 1951. No additional dissemination has been made of this information.

(18) [redacted] Department of the Navy, Washington, D. C., Security of Government Employees, Bureau file 140-374. The report of Special Agent John Joseph Mulhern, dated October 15, 1953, at New York, carries Matusow as symbol number T-5. This report was disseminated to the CSC and the Department on October 27, 1953.

(19) ROBERT MARTIN WOHLFORTH, Antitrust Division U. S. Department of Justice, New York, New York - Loyalty of Government Employees (LGE), Bureau file 121-874. The report of Special Agent Arthur R. Ware, dated August 22, 1950, at New York, carries Harvey Matusow as Confidential Informant T-47. The report was disseminated to the Department and the CSC by memoranda dated October 17, 1950.

(20) [redacted] Clinical Psychologist - Appointee, Veterans Administration Regional Office, Miami, Florida - LGE, Bureau file 121-20238. The report of Special Agent Norman E. McDaniel, dated September 29, 1950, at New York, New York, contained information furnished by Matusow under the informant symbol T-6. This report was disseminated to the Department by memorandum dated October 12, 1950. By memorandum of the same date copies of the report were furnished to CSC. b6 b7C

(21) [redacted] Electronics Scientist - Applicant, National Bureau of Standards, U. S. Department of Commerce, Washington, D. C. - LGE, Bureau file 121-22476. The report of Special Agent Norman E. McDaniel, dated June 15, 1950, at New York, New York, contains information furnished by Matusow under the informant symbol T-8. A copy of this report was furnished to the Department by memorandum dated July 18, 1950. Copies of this report were also furnished to the CSC, State Department, and G-2.

(22) [redacted] aka [redacted], Post Office Department, New York, New York - LGE, Bureau file 121-23033. The report of Special Agent Albert Franz, dated September 8, 1950, at New York, reflects Matusow as Confidential Informant Symbol T-14. This report was disseminated to the CSC and the Department on September 25, 1950.

(23) [redacted] aka [redacted] Department of the Navy, Long Beach, California - LGE, Bureau file 121-27968. The report of Special Agent Robert A. Frink, dated June 14, 1951, at New York, New York, carries Matusow as Confidential Informant T-8. This report was disseminated to CSC and the Department on July 31, 1951.

(24) [redacted] aka [redacted] Metallurgist, Office of Naval Research, Department of the Navy, Washington, D. C. - SGE, Bureau file 121-25628. The report of Special Agent Edward M. Owens, dated

November 22, 1954, at New York, New York, contains information furnished by Matusow under the Informant Symbol T-2. A copy of this report was furnished to the Department by memorandum dated January 11, 1955. By memorandum of the same date, copies of the report were transmitted to CSC.

(25) MERLE D. VINCENT, JR., Regional Director, National Labor Relations Board, Buffalo, New York - SGE, Bureau file 121-29124.

(a) The report of Special Agent Charles H. Sanderlin, dated May 5, 1954, at New York, reflects Harvey Matusow interviewed and advised not acquainted with employee. This report was furnished to the CSC and the Department on June 3, 1954.

(b) The report of Special Agent John J. Gorman, dated June 8, 1954, at Washington, D. C., reflects Harvey Matusow testified before Jenner Committee re employee's brother and sister-in-law. This report was furnished to CSC and the Department on June 16, 1954.

(26) JOHN CALVIN WAITE, aka Jay Waite, U. S. Weather Bureau, Department of Commerce, Clayton, New Mexico - SGE, Bureau file 121-32075. The report of Special Agent D. Arthur Byrnes, dated May 16, 1954, carries Matusow as Confidential Informant T-15. This report was disseminated to CSC and the Department on June 3, 1954.

(27) [redacted] nee [redacted] aka [redacted] - Appointee, Pittsburgh Ordnance District, Department of the Army, Pittsburgh, Pennsylvania - LGE, Bureau file 121-35805. The report of Special Agent William H. Haight, dated February 29, 1952, at New York, New York, page three, contains information furnished by Matusow under the Informant Symbol T-19. This report was furnished to the Department and to CSC by memoranda dated March 12, 1952.

(28) [redacted] nee [redacted] aka [redacted] Department of the Army, Fort Knox, Kentucky - LGE, Bureau file 121-40016. The report of Special Agent William H. Shuford, dated October 24, 1952, at New York, reflects Harvey Marshall Matusow, an admitted Communist Party member from September or October, 1947, until January, 1951, testified

before Committee on Un-American Activities of the House of Representatives, at Washington, D. C., on November 27, 28, 1951. This report was disseminated to CSC on November 7, 1952; the Department on November 7, 1952; and the Military Intelligence (G-2) on November 19, 1952.

(29) [redacted] Administrative Officer - Applicant, Department of State, Washington, D. C. - LGE, Bureau file 121-40507. The report of Special Agent Marcellus E. Meyer, dated November 20, 1952, at New York, New York, contains information furnished by Matusow under the Informant Symbol T-7. This report was furnished to the Department and to CSC by memoranda dated December 9, 1952.

(30) [redacted] aka [redacted] Post Office Department, Washington, D. C. - LGE, Bureau file 121-42562. The report of Special Agent James E. Hanlon, dated March 2, 1953, at New York, reflects Harvey Marshall Matusow as Confidential Informant T-3. This report was disseminated to CSC and the Department on March 16, 1953, and to Coast Guard Intelligence on September 13, 1954. b6 b7C

(31) [redacted] aka [redacted] Post Office Department, Levittown, New York - LGE, Bureau file 121-22854. The report of Special Agent Joseph E. Dowling, dated September 3, 1952, at New York, contains information furnished by Matusow under the Informant Symbol T-5. This report was disseminated to the Department and CSC by cover letters dated September 12, 1952.

(32) [redacted] 121-22978 Temporary Substitute Mail Handler - Appointee, Post Office Department, New York - LGE. The report of Special Agent John G. Slater, dated August 29, 1950, at New York, New York, contains reference to Matusow under the Informant Symbol T-7. This report was furnished to the Department by memorandum dated September 14, 1950. By memorandum of the same date the report was furnished to CSC. On April 6, 1951, a copy of the report was furnished to the Coast Guard.

cc: Mr. Boardman
Mr. Rosen
Mr. Nichols
Mr. Callahan
Mr. Stanley
Mr. Sutthoff

March 2, 1955

100-418105-70
The Attorney General

Director, FBI

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DATE 10-10-99 BY 60267NLS/EP/DO
901820

~~CONFIDENTIAL~~ Ex-Communists as Witnesses

Reference is made to your memorandum dated February 21, 1955, instructing that certain action be taken with respect to files containing information obtained from Harvey Marshall Matusow and [redacted]. In addition, you requested a list of any employee security cases in which evidence or testimony from Matusow and Watson is set out.

By memorandum dated February 21, 1955, captioned "Harvey Marshall Matusow," Assistant Attorney General, William F. Tompkins, Internal Security Division, requested that he be advised in which reports previously furnished to the Internal Security Division Matusow appears by name or informant symbol.

Attached is a list of employee security cases containing information furnished by [redacted] and Matusow. The list furnishes the full caption of the report or letter involved and notes whether the informant's identity is set out openly or concealed by informant symbol. In the latter instances, the pertinent informant symbols are noted. Dissemination of the communications is also set out.

Copies of this list are attached also for Mr. Rogers, Mr. Tompkins, and the Records Administration Branch of the Department. Mr. Tompkins is being advised by separate correspondence of similar cases other than those of an employee security nature.

Pursuant to your instructions, all other agencies which have been furnished copies of the communications listed in the attached are being advised by letter of the pertinent information for any action deemed appropriate by the agency concerned. Also, the pertinent files of this Bureau are being appropriately marked to show the unreliability of Matusow and [redacted].

cc: (1) Mr. Nichols, Room 5640
(1) Mr. Belmont, Room 1742

24 MAR 8 1955

JRS:bjm
(14)

Cover memo Stanley
to Mr. Rosen 3/2/55

100-375988

1955

UNRECORDED COPY FILED IN 100-375988

In the event additional employee security cases containing information from Matusow and [] are identified, you will be advised of the same, and other action indicated in your memorandum will be taken.

Attachment

cc: (1) Mr. William P. Rogers
Deputy Attorney General

(Attachment)

(1) Assistant Attorney General
William F. Tompkins

(Attachment)

(1) Records Administration Branch

(Attachment)

Field has been alerted to advise Bureau of any other cases involving Matusow's and [] information noted in future file reviews.

RECOMMENDATIONS:

That Mr. Nichols give the attached memo and list to Mr. Rogers for the Attorney General (original). One copy is attached also for Rogers, Tompkins, and Records Administration Branch. It is suggested also that Mr. Nichols advise Mr. Rogers that the list is not necessarily complete. It is suggested that Mr. Nichols advise Mr. Rogers of the extensive search already conducted by the Bureau (as noted above) in identifying the cases in the attached list. It should also be pointed out to Mr. Rogers that the Bureau has gone as far as possible in this matter, short of a physical page by page check of files in each of the hundreds of thousands of Loyalty, SGE, and Applicant-type cases which the Bureau has conducted. In the event other cases of a similar nature are noted in future file reviews, the same will be brought to the attention of the Department and other appropriate action will be taken.

Rem

JB
and memos. See pg
12. need for Nichols
handling
J.

X THE DIRECTOR

J. P. Mohr

March 7, 1955

① *Ex Communit as witnesses*

ves:gmo

A P P E N D I X

Pages Al393- Congressman Walter, (D) Pennsylvania, extended his
Al396 remarks to include a CBS Radio broadcast of February 27,
1955. Participants were Hon. Francis E. Walter, chairman,
House Un-American Activities Committee, Hon. William F.
Tompkins, Assistant Attorney General in charge of Internal
Security Division, Department of Justice, moderator, Dwight
Cooke, and producer, Nancy Hanschman. The question was "How
effective are former Communists as witnesses?" The reference
to the FBI was set forth in a memorandum written earlier
this date.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
11/4/78 JJP/CAJ (1259)

INDEXED-41

EX-126

55 MAR 25 1955

100-418105-X1
66-7052-2
NOT RECORDED
191 MAR 23 1955

INITIALS ON ORIGINAL

ORIGINAL COPY FILED IN 66-1721-7050

MR. BOARDMAN
MR. BELMONT
1 ccmr. DONOHUE

THE ATTORNEY GENERAL

March 9, 1955

100-418105-1X2

DIRECTOR, FBI

62-34781-106

RECORDED - 98

EX-COMMUNISTS AND WITNESSES

DECLASSIFIED BY 60267 NIS/EP/DD
ON 10-10-99

901828

Reference is made to an undated copy of a memorandum to you from the Commissioner, Immigration and Naturalization Service, received at this Bureau March 3, 1955. Item IV in this memorandum pertains to Anthony Cvetic and Joseph Masoli. The Commissioner, Immigration and Naturalization Service, states that he would appreciate receiving any information which would tend to cast doubt on the propriety of the continued use of these two individuals as informants.

Your attention is called to my letter to you of May 13, 1954, captioned, "Informants and Witnesses of the Immigration and Naturalization Service." A 7-page attachment to this letter contained information from this Bureau's files concerning individuals utilized by the Immigration and Naturalization Service as informants.

On pages 4 and 5 of the attachment it was pointed out that Anthony Cvetic was discontinued as an informant by this Bureau in view of various indiscretions on his part, such as one incident wherein he had allegedly been drinking heavily and had revealed to a female companion the fact that he was furnishing information to the FBI concerning Communist activities. During the period of time from January, 1950, to the present, there have been additional allegations of intemperance and indiscretions of a similar nature on the part of this individual.

For your additional information, on numerous occasions both by memorandum and orally from December, 1950, until March, 1953, when the Pittsburgh Smith Act Wagon, the Department and the United States Attorney, Pittsburgh were fully advised of Cvetic's background, indiscretions and questionable public statements he had made subsequent to his discontinuance as an informant.

Tolson
Boardman
Nichols
Belmont
Harbo
Mohr
Parsons
Rosen
Tamm
 Sizoo
Winterrowd
Tele. Room
Holloman
Gandy

GFMc:JDD:DE (TEN)

COMM - FBI

1955

60 APR 7 1955

UNRECORDED COPY FILED IN

~~CONFIDENTIAL~~

On page 66 of the attachment to my letter of May 13, 1954, referred to above, it was pointed out that following the discontinuance of [] as an informant by this Bureau in [] has made a number of allegations concerning subversive activities which he had not previously reported to the FBI during his informant status. A number of these allegations were impossible to substantiate. In addition, [] has charged that the FBI in [] ordered him to plead guilty to []. This statement was completely false and a Special Agent of the FBI testified []

b6
b7C
b7D

[] refuting the allegation. This testimony was in connection with a petition to the court by [] to withdraw the guilty plea, alleging that he, [] had been instructed to so plead by the FBI.

On [] represented himself as "an undercover agent for the FBI" in order to obtain entrance into the Pittsburgh Ordnance District to view an employee of the Department of the Army. The Internal Security Division of the Department is presently considering the advisability of prosecution of [] for Impersonation in this instance.

2 cc: Assistant Attorney General
William F. Tompkins

2 cc: Commissioner
Immigration and Naturalization Service

~~CONFIDENTIAL~~

Mr. Tolson
Mr. Boardman
Mr. Nichols
Mr. Belmont
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

56264/250-18

To The Attorney General

From Commissioner of Immigration and Naturalization

Pro-Communists as Witnesses

With respect to your memoranda of February 21 and February 25, 1955, concerning the subject, please be advised as follows:

I. HARVEY MATUSOW

- (a) Attached hereto, marked Attachment I, is memorandum concerning Harvey Matusow, which sets forth pertinent data as to his background and use. You will note therein that this Service discontinued his use as a witness on April 8, 1954. To further assure that Matusow is not used by this Service, instructions prohibiting his use have been re-emphasized.
- (b) This paragraph does not pertain to this Service.
- (c) In line with instructions to be issued to Departmental attorneys and prosecutors now being prepared by Mr. Rogers, L.F. Whittings, the Service General Council, discussed with Mr. Robert Minor as to whether any action by the Service was desired, and the latter advised that for the present, none was desired.
- (d) As reflected in Attachment I, Service records disclose that Matusow testified in only one Service proceeding. In view of corroborating testimony of three other witnesses, the alien's refusal to testify at her hearing and her departure from the United States, it is recommended that no further action be taken with respect to the Davidoff case, notwithstanding Matusow's testimony therein.

II.

In accordance with your instructions, I have forwarded to Mr. Olney the information received by this Service from the Federal Communications Commission indicating perjury by [redacted]

RECORDED
INDEXED
EX-117

24 MAR 16 1955

b7D

EXP. PROC.
MAR 3 1955
UNRECORDED COPY FILED IN

ALL FBI INFORMATION CONTAINED
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DATE 2-11-91 BY SP2ALM/JW
FOIPA # 357145

This copy classified
CONFIDENTIAL
so long as confidential
source(s) remain(s)

5 ENCL.

cc [unclear]
cc [unclear]
3-6-55

Attached hereto, for your information, and marked Attachment II, is a list of deportation and denaturalization cases in which [] testified as a Government witness. The deportation cases are now being reviewed and you will be furnished as soon as possible with a recommendation as to whether any of the cases should be reopened. With respect to the cases of LOUIS ZUKER, COSTAS ATHAS, and [] shown on Attachment II, instructions have been issued to schedule continued deportation hearings as soon as possible.

For your further information, there is also attached hereto, marked Attachment III, a list of denaturalization cases in which [] was to have been a Government witness in court proceedings.

I am also attaching hereto, marked Attachment IV, a copy of a memorandum concerning [] which sets forth pertinent data concerning him and his discontinuance as a witness in Service proceedings.

The newspaper article, referred to in your memorandum of February 21, 1955, concerning a lawyer in Cleveland appealing to the Department to reopen an immigration case, refers to the case of ALLEN SHIFRIN, which is reflected in Attachment II. This Service has not received any appeal or request by the alien or his attorney with respect to the case.

III. []

This Service has not utilized [] either as an informant or witness.

IV. MATTHEW COUTIC and []

With reference to these two witnesses, I am compiling a list of Service cases in which they have testified and shall forward it to you as soon as it is completed. In addition, the cases are being reviewed and you will be furnished as soon as possible with recommendations as to any action to be taken therein. I have no information that either of these witnesses is unreliable or that their testimony is not to be given full credence. I would appreciate receiving any information in the possession of any Division of the Department which would tend to cast doubts on the propriety of our continued use of these two informants.

V.

and

This Service will await determination by the Department with respect to a reappraisal of the reliability of these two persons as Government witnesses, although we have no reason to believe, based on their testimony in administrative hearings before this Service, that their reliability is to be doubted. In the interim, pending such reappraisal, they will not be utilized as witnesses by this Service although they will still be used as informants, and appropriate instructions have been issued.

With respect to Service use of ex-Communists as witnesses, as I advised you on February 21, 1955, the Service ceased using such persons as consultants on July 23, 1954.* Further, on September 13, 1954, I issued a directive to the field offices relative to the payments to witnesses, sources of information and confidential informants, and deliberately omitted any reference to consultants so that all persons were to be known as informants or witnesses. I am attaching hereto, for your information, a copy of that directive, marked Attachment V.

I am furnishing a copy of this memorandum and attachments to Messrs. Rogers, Hoover, Tompkins, and Olney.

*At this time all contracts in which these individuals were referred to as consultants were cancelled.

Attachments

CC: William P. Rogers, Deputy Attorney General

Attachments

CC: J. Edgar Hoover, Director
Federal Bureau of Investigation

Attachments

CC: William F. Tompkins, Assistant Attorney General
Internal Security Division

Attachments

CC: Warren Olney III, Assistant Attorney General
Criminal Division

Attachments

February 24, 1955

MEMORANDUM IN RE HARVEY MATUSOW (56319/658)

Background

The subject was born on October 3, 1926, in New York City, New York. He came to the attention of the New York office of this Service as a result of an article in the January 19, 1951, issue of the "Daily Worker" in which it was stated that he had been expelled from the Communist Party.

Efforts directed by the Central Office to develop him as an informant were initiated but were unsuccessful until April 8, 1952, when he was interviewed by an Investigator attached to the Cincinnati, Ohio, office of this Service. On that date he stated that he had joined the American Youth for Democracy during October 1946 and that he had been a member of the Communist Party from 1947 to January 1951. He furnished information concerning persons whom he believed to be foreign born and to his knowledge members of the Communist Party. On May 15, 1952, he furnished information regarding his background to two investigators attached to the New York office. He was again interviewed at the New York office on September 11, 1952, at which time he stated that he had joined the Communist Party during October 1947 and furnished further information concerning his activities while a member of the Party. On September 16 and 17, 1952, he was interviewed at the Central Office with respect to information he claimed to have regarding Communist infiltration into the south-western United States.

On February 2, 1953, pursuant to request of the New York office that office was authorized to utilize the subject as an informant for a maximum of five days during the current fiscal year. On May 12, 1953, he appeared as a witness in the deportation hearing of [redacted] ([redacted]), who departed to Canada under a warrant of deportation on June 30, 1953. On December 31, 1953, request of the New York office for authorization to employ the subject for not more than ten days during the year ending June 30, 1954, was granted.

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DATE 10-10-99 BY 60261 NIS/EP/DD

901820

Attachment I

100-41803-1A2
62-34781-4034
ENCLOSURE

Matusov was used as a Government witness by this Service in only one proceeding on May 12, 1953. He did not act as an identifying witness. He only testified that anyone employed by the newspaper the "Daily Worker" had to be a Communist Party member. His testimony on this point was corroborated by witnesses Maurice Malkin, Manning Johnson and John J. Huber. This was in connection with the deportation proceeding of [redacted] a native and citizen of Canada, age 35, who was admitted to the United States for permanent residence on September 16, 1946. On March 27, 1953, a warrant was issued for her arrest under Section 241(a) of the Immigration and Nationality Act on the ground that after entry in the United States she had been affiliated with the Communist Party of the United States. On May 22, 1953, she was found deportable by a special inquiry officer on the ground that she had been a member of and affiliated with the Communist Party. This finding was based on her employment by the Communist newspaper, the "Daily Worker". She refused to testify at the deportation hearing. Evidence of her employment by the "Daily Worker" consisted of the testimony of two neighbors who stated that she had informed them that she was employed by the "Daily Worker", certified copies of Forms W-2 (Withholding Statement) showing that she was employed by Freedom of the Press Company, Inc., (Publishers of the "Daily Worker") and an application for a marriage license showing her residence at 50 East 13th Street, New York City, the address of Freedom of the Press Company, Inc.

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On June 26, 1953, [redacted] appeal was dismissed by the Board of Immigration Appeals. She departed to Canada under a warrant of deportation on June 30, 1953.

Termination of Use

On April 8, 1954, Mr. Noto instructed Mr. Flagg at New York that subject was not to be used as witness in Service proceedings. This action was taken on receipt of information that the subject had written letters to his wife in which he stated that he had committed perjury in testifying regarding communism.

Fees Paid

According to Mr. McGaffin, fiscal records indicate he received a total of \$209.01 (\$144.00 fees; \$60.51 transportation; \$4.50 per diem).

DEPORTATION CASES IN WHICH

TESTIFIED

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DATE 10-10-99 BY 60261NIS/EP/DB

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CASE	INS FILE NUMBER	INS DISTRICT	STATUS OF CASE	CHARGES	OTHER WITNESSES WHO TESTIFIED AS TO ALIENS MEMBERSHIP IN CP	WATSON IDENT. ALIENAS MEMBER OF CP DURING
Allen Skifrin	E-077237	Detroit	2/11/55 BIA ordered deportation.	Member of CP after entry.		1937-1941
		Detroit	2/11/55 BIA termi- nated proceedings.	Member of CP after entry.		1937-1941
		Detroit	9/9/54 ordered de- ported by SIO. Pending before BIA.	Member of CP prior to entry.		1933-34 to 1942 (except during 1935-36)
Mary Todorovich	A-4376847	Detroit	11/15/54 BIA dis- missed appeal	Member of CP after entry.		1934-1935, 1936-1942
		Detroit	5/10/54 ordered de- ported by SIO. Appeal pending be- fore BIA.	Crime prior to entry: Using mails to de- fraud. Member of CP after entry.		1933
Louis Zuker	A-3579378	Buffalo	Hearing temporarily adjourned.	Member of CP after entry	Prospective Witness -	1936 or 1937 to 1941
		Philadelphia	Hearing temporarily adjourned.	Member of CP.	Prospective Witness -	1935-1936
		Philadelphia	Hearing temporarily adjourned.	Member of CP and IWO after entry.	Prospective Witness -	1935 and 1936
Attachment II						

ENCLOSURE

DENATURALIZATION CASES IN WHICH

TESTIFIED

b7D

CASE	INS FILE NUMBER	INS DISTRICT	STATUS OF CASE	OTHER WITNESSES WHO TESTIFIED AS TO SUBJECT'S MEMBERSHIP IN CP	WATSON IDENTIFIED SUBJECT AS MEMBER OF CP DURING
Michael Chruszczak	C-5095214	Detroit	7/9/54 naturalization revoked N.D. of Ohio. 11/16/54 appeal dismissed by U.S. Court of Appeals.	Service investigators testified he admitted membership in CP.	1934-1941

Attachment II

DENATURALIZATION CASES IN WHICH [REDACTED]
WAS TO HAVE BEEN A WITNESS IN COURT PROCEEDINGS

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CASE	INS FILE NUMBER	INS DISTRICT	STATUS OF CASE	OTHER PROSPECTIVE WITNESSES	WITNESS IDENTIFIED SUBJECT AS MEMBER OF CP DURING
[REDACTED]		Detroit	11/1/54 complaint filed USDO, Detroit.	[REDACTED]	1936-1937
John Stemple	C-4611601	Detroit	8/17/54 case to U.S. Atty., Cleveland.	[REDACTED] William Cummings	1930-1933 or 1934
Abu Young	C-4627218	Detroit	5/12/54 complaint filed USDO, MD of Ohio.	[REDACTED]	1933-1942
[REDACTED]	[REDACTED]	Detroit	7/1/54 complaint filed USDO, MD of Ohio.	[REDACTED] John Victor Lo Blanc	1933-1941
[REDACTED]	[REDACTED]	Detroit	2/21/55 at Department	[REDACTED]	1936-1941
[REDACTED]	[REDACTED]	Philadelphia	5/5/54 complaint filed USDO, WD of Pa.	Frank Paul, [REDACTED] [REDACTED]	1940

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DATE 10-10-99 BY 60261 NIS/EP/PO
901820

Attachment III

ENCLOSURE 100-418222-18

February 24, 1955

MEMORANDUM IN RE [REDACTED]

b7D

Background

The subject was born on [REDACTED]
[REDACTED] He presently resides at [REDACTED]

On July 30, 1952, pursuant to Service request, the Federal Bureau of Investigation furnished this Service clearance to contact [REDACTED] for the purpose of developing him as a Service informant. On February 26, 1953 he was reported by the Kansas City District to the Central Office as an informant to the Service and as willing to testify in Service proceedings as a Government witness. [REDACTED] use as a witness and informant was based upon the knowledge he acquired while a member of the Communist Party from the latter part of [REDACTED]

[REDACTED] during which time he had been expelled from the Party. He was active as a Communist in [REDACTED] and spent most of his time in [REDACTED] in Party activities. According to [REDACTED] he terminated his membership in the Communist Party in [REDACTED] when he became convinced that it could not achieve its goals by democratic processes.

[REDACTED] criminal record consists of [REDACTED]

Attached hereto is a list of deportation and denaturalization cases in which [REDACTED] has testified as a Government witness and a list of denaturalization cases in which he was to have been a prospective witness in court proceedings:

- Attachment I - List of deportation and denaturalization cases in which Watson has testified.
- Attachment II - List of denaturalization cases in which Watson was to have been a prospective witness.

Termination of Use

On February 21, 1955 instructions were issued to all Regional Commissioners and District Directors that [REDACTED] is not to be used by this Service as an informant or witness in any Service proceeding.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-10-99 BY 60261 NIS/EP/DD

901830

100-418105-1X

ENCLOSURE 62-34780-1026

Fees Paid

According to Mr. McGaffin, fiscal records indicate he received a total of \$4,904.42 from July 16, 1953 to December 15, 1954 (\$2,910.75 fees; \$1,037.15 transportation; \$945.90 per diem; \$90.62 miscellaneous).

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: March 21, 1955

FROM : SAC, Pittsburgh (67-2584A)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-12-99 BY 60261 NIS/EP/DD
901820SUBJECT: MATTHEW CVETIC
FORMER SECURITY INFORMANT*EX COMMUNISTS AS WITNESSES*

On the evening of 3/16/55 JAMES EADIE, Chief of the Brownsville, Pa., Police Department, telephonically advised SA CARL L. SHERWOOD that CVETIC on that date had been arrested by Patrolman SAM NICOLA of the Brownsville, Pa., PD for drunken driving. According to EADIE, CVETIC had driven his 1953 Lincoln into a ditch. Chief EADIE requested advice as to what action he should take with regard to CVETIC. EADIE stated that CVETIC had not made any statements with regard to the FBI but that he (EADIE) assumed he should contact the Bureau concerning CVETIC's arrest.

Chief EADIE was advised by SA SHERWOOD that CVETIC had no present connection with this Bureau and that he was not at any time an employee or agent of this Bureau. SA SHERWOOD further advised EADIE that this Bureau certainly would not intercede for any individual charged with a violation of law and that he would have to adhere to his own procedures with regard to the arrest of CVETIC.

Chief EADIE further stated that he intended to let CVETIC "sober up" and if the Burgess of Brownsville so desired, would have CVETIC fill out a check for fines and costs.

SA SHERWOOD was subsequently advised on 3/16/55 by [] that EADIE had called said informant and told informant that he (EADIE) was going to have someone drive CVETIC back to Pittsburgh and that the entire matter would be forgotten. [] further advised SA SHERWOOD that it was his impression that no publicity would result from the above arrest of CVETIC.

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The above is submitted for the information of the Bureau.

JTM/jep
(3)

REGISTERED

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let to AL, cc Tompkins,
Swine3-30-55
GFM
62 APR 25 1955100-418105-3
17 MAR 23 1955

UNRECORDED COPY FILED IN 100-372409

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
AIRTEL

FD-36
Mr. Tolson
Mr. Boardman
Mr. Nichols
Mr. Belmont
Mr. Harbo
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Sizoo
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

Transmit the following Teletype message to:

FBI, PITTSBURGH (67-2584A) 8:30 AM EST 3/26/55

DIRECTOR, FBI

EX COMMUNISTSAE WITNESSES

MATTHEW CVETIC, FORMER PITTSBURGH SECURITY INFORMANT. REMYAIRTEL

3/25/54, CAPTIONED, "CRC, IS-C". [REDACTED] OF KNOWN RELIABILITY,

ORALLY ADVISED SA RUSSELL M. GWYNNE ON 3/25/55 THAT A MEETING

SPONSORED BY THE PITTSBURGH CRC WAS HELD IN THE VOGUE ROOM

OF THE ROOSEVELT HOTEL, PITTSBURGH, PA., DURING THE EVENING

OF 3/24/55. INFORMANT STATED THAT THIS MEETING DEALT PRIMARILY

WITH INFORMANTS AND MIRIAM SCHULTZ, EXECUTIVE SECRETARY OF THE

PITTSBURGH CRC AND [REDACTED] OF THE WESTERN

PA. COMMITTEE FOR PROTECTION OF FOREIGN BORN, READ WHAT APPEARED

TO THE INFORMANT TO BE A MEDICAL ANALYSIS CONCERNING MATTHEW

CVETIC. THIS ANALYSIS IN SUBSTANCE CONCERNED INFORMATION THAT

MATTHEW CVETIC HAD BEEN RECENTLY ADMITTED TO ST. FRANCIS HOSPITAL

- 3- BUREAU (100-372409) (RM)
- 1- BUREAU (100-381185) (RM)
- 1- PITTSBURGH (62-1787)
- 1- [REDACTED]
- 1- [REDACTED]

RMG:HLK
(8)

Mr. Belmont

INDEXED
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DATE 10-13-99 BY 60267 NIS/EP
901820

100-415105-4

24 4-12
MAR 29 1955

63 APR 25 1955

Approved: *FH*
Special Agent in Charge

Sent M Per

UNRECORDED COPY FILED IN 100-372409-1

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

PAGE TWO

Transmit the following Teletype message to:

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AT PITTSBURGH, PA., AND HAD UNDERGONE PSYCHIATRIC TREATMENT.
SCHULTZ AND [] POINTED OUT THAT THEIR RESPECTIVE ORGANIZATIONS
WOULD IMMEDIATELY START PREPARATION OF A "PETITION" FOR SUBMISSION
TO THE USDC AND INS, POINTING OUT THAT THE TESTIMONY BY CVETIC
IN INS HEARINGS AND THE PITTSBURGH SMITH ACT CASE WAS VALUELESS
DUE TO CVETIC'S SUFFERING FROM A NERVOUS DISORDER. IT IS NOTED
THAT ON 3/10/55 MATTHEW CVETIC WAS INTERVIEWED WITH BUREAU AUTHORITY
BY SA JOSEPH J. O'NEILL IN CONNECTION WITH AN SGE CASE AND CVETIC
TOLD SA O'NEILL THAT ON 2/20/55 "SOMETHING HAPPENED TO HIM" AND
HE STARTED TO DRINK AND THAT HE DRANK HEAVILY FOR SEVERAL DAYS.
HE STATED THAT AS A RESULT HE BECAME "VERY SICK" AND WAS CONFINED
TO ST. FRANCIS HOSPITAL, PITTSBURGH, WHERE HE RECEIVED TREATMENT
FOR A "NERVOUS CONDITION." CVETIC STATED THAT HE HAD BEEN RE-
LEASED FROM THE HOSPITAL ON 3/8/55. CVETIC ALSO STATED THAT HE
HAD BEEN ATTENDED BY DR. JOHN A. MALCOLM (NOTE PITTSBURGH LET
TO BUREAU, 3/2/49, CAPTIONED, "CP-USA-BRIEF, IS-C", BUFILE
100-3-74), DURING HIS CONFINEMENT AND DR. MALCOLM HAD ADVISED
HIM THAT HE WAS GOING THROUGH A "CHANGE" AND THAT HE SHOULD
KEEP BUSY. CVETIC STATED THAT JUST AS SOON AS HIS BOOK, "THEY
CALLED ME COMRADE", IS COMPLETED HE DESIRED TO LEAVE PITTSBURGH
AND OBTAIN STEADY EMPLOYMENT, BUT THAT HE FINDS IT DIFFICULT TO
BREAK AWAY FROM THE WORK IN WHICH HE WAS ENGAGED IN FOR ABOUT NINE

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

PAGE THREE

Transmit the following Teletype message to:

YEARS. [] ALSO ADVISED SA GWYNNE ON 3/25/55 THAT DURING THE CRC MEETING HELD AT THE ROOSEVELT HOTEL ON 3/24/55 ALLAN MC NEIL, SECRETARY OF "THE COMMITTEE TO END SEDITION LAWS" STATED THAT THE "VALLEY JOURNAL" PUBLISHED AT MILLVALE, PA., WAS IN POSSESSION OF "A FILE" CONCERNING [] AND IS ONLY WAITING FOR [] AND HARRY ALAN SHERMAN, LOCAL PITTSBURGH ATTORNEY, TO START SUIT REGARDING AN EDITORIAL THE PAPER PRINTED DURING AUG., 1954 CONCERNING [] MC NEIL STATED THAT THE MATERIAL IN THE POSSESSION OF THE PAPER WOULD EXPOSE [] AS A "PERJURER." MC NEIL STATED THAT IN THE EVENT THE "VALLEY JOURNAL" DOES NOT USE THE INFORMATION IN ITS POSSESSION REGARDING [] THERE ARE TWO LARGE NEWSPAPERS AT PITTSBURGH, PA., WHICH WANT TO "EXPOSE []" INFORMANT STATED THAT THE NAMES OF THE NEWSPAPERS WERE NOT MENTIONED AND THAT HE IS UNABLE TO STATE HOW MUCH TRUTH EXISTS IN MC NEIL'S STATEMENT. INFO RE "VALLEY JOURNAL" SET OUT IN PITTSBURGH LET TO BUREAU, 8/31/54 CAPTIONED, [] (BUFILE 100-381185); HARRY ALAN SHERMAN.

THE BUREAU IS REQUESTED TO AUTHORIZE INTERVIEW WITH CVETIC IF DEEMED NECESSARY AND ADVISE WHETHER INS AUTHORITIES AND USA, PITTSBURGH SHOULD BE APPROPRIATELY ADVISED IN VIEW OF CVETIC AND [] HAVING PARTICIPATED AS WITNESSES IN THE PITTSBURGH SMITH ACT TRIAL AND HAVING SERVED AS CONSULTANTS FOR INS. THE

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

PAGE FOUR

Transmit the following Teletype message to:

BUREAU IS ALSO REQUESTED TO ADVISE WHETHER MEDICAL RECORDS
AT ST. FRANCIS HOSPITAL, PITTSBURGH, REGARDING CVETIC SHOULD
BE REVIEWED.

HALLFORD

Approved: _____
Special Agent in Charge

Sent _____ M

Per _____

EBI
RECEIVED SECURITY SEC
MAY 30 2 15 PM '63
RECEIVED

F.B.I. TELETYPE

4-41a

DECODED COPY

Ex-Communist as witness

FBI, PITTSBURGH

3-29-55

7:15 PM EST

GL

DIRECTOR, FBI

URGENT

PITTSBURGH SECURITY INFORMANT

MATTHEW CVETIC, FORMER PG SI. REMYAIRTEL MARCH 26 LAST. USA JOHN W. MC ILVAINE, WDPA, ADVISED TODAY THAT HE IS IN POSSESSION OF COPY OF PREPARED PRESS RELEASE RE PHYSICAL CONDITION OF MATTHEW CVETIC AS SET OUT IN REAIRTEL. MC ILVAINE STATED RELEASE NOW IN POSSESSION OF LOCAL PG NEWSPAPERS. (RELEASE NOT PRINTED TO DATE). RELEASE APPARENTLY PREPARED BY WPA COMMITTEE FOR PROTECTION OF FOREIGN BORN AND STATES IN PART THAT QUOTE "THE WESTERN PENNSYLVANIA COMMITTEE FOR PROTECTION OF THE FOREIGN BORN ANNOUNCED TODAY THAT PETITIONS HAVE BEEN FILED IN TWO DEPORTATION CASES INTRODUCING NEW EVIDENCE RELATING TO THE MENTAL ILLNESS OF MATTHEW CVETIC, MAIN WITNESS IN BOTH PROCEEDINGS. ATTACHED TO EACH PETITION IS A SUMMARY OF THE HOSPITAL RECORD, WHICH SHOWS THAT CVETIC WAS ADMITTED TO ST. FRANCIS HOSPITAL, PSYCHIATRIC DIVISION, ON FEBRUARY 17, 1955, WAS DISCHARGED MARCH 5, 1955, AND RE-ADMITTED ON MARCH 19. DR. W. J. KELLY, WHO EXAMINED CVETIC ON HIS FIRST ADMISSION, FOUND SINGLE QUOTE PATIENT IS RESTLESS, AGITATED, HAS A SUSPICIOUS ATTITUDE, SEEMS AFRAID, ADMITS DRINKING HEAVILY OF LATE, IS ADMITTED AS A CHRONIC ALCOHOLIC, SINGLE QUOTE. ACCORDING TO THE HISTORY OBTAINED BY THE ADMITTING PHYSICIAN, THE PATIENT WAS ALWAYS RATHER A DEPRESSIVE PERSON. [REDACTED] NEVER COULD UNDERSTAND HIM, HE NEVER DISCUSSED HIS PROBLEMS WITH HIM, AND HE IS AT A LOSS TO KNOW WHAT HIS TROUBLE IS AT PRESENT, OTHER THAN BEING LONELY. HE LIVES IN A HOTEL ROOM ALONE AND HAS BEEN WRITING A BOOK. HE HAS BEEN VERY DESPONDENT AND UNSETTLED SINCE HE RESUMED DRINKING. HE PACED BACK AND FORTH IN HIS HOTEL ROOM, HE ATE AND SLEPT VERY LITTLE SINCE SUNDAY. PATIENT USED LIQUOR VERY HEAVILY FOR A PERIOD OF FIVE YEARS,

67 APR 26 1955

RECORDED

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's coding systems.

Mr. Belmont

CC: MR. BELMONT
AND SUPERVISOR
DOM. INTEL. DIVISION

Mr. Tolson
Mr. Boardman
Mr. Nichols
Mr. Belmont
Mr. Harbo
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Sizoo
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-99 BY 10367NLS/EP/DO
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UNRECORDED COPY FILED IN 100-372409-1604

100-372409-1604

F.B.I. TELETYPE

4-41a

DECODED COPY

PAGE TWO

Mr. Tolson _____
Mr. Boardman _____
Mr. Nichols _____
Mr. Belmont _____
Mr. Harbo _____
Mr. Mohr _____
Mr. Parsons _____
Mr. Rosen _____
Mr. Tamm _____
Mr. Sizoo _____
Mr. Winterrowd _____
Tele. Room _____
Mr. Holloman _____
Miss Gandy _____

BUT QUIT ALTOGETHER TWO AND ON HALF YEARS AGO AND HAS BEEN WITH ALCOHOLICS ANONYMOUS. PATIENT HAS BEEN DOCTORING FOR A NERVOUS CONDITION. HE STARTED DRINKING THIS PAST SUNDAY AND MONDAY, FEBRUARY 13 AND 14. SINCE HE WAS SO DESPONDENT, [REDACTED] CALLED THE HOTEL DOCTOR WHO GAVE HIM SOME MEDICINE AND RECOMMENDED HOSPITALIZATION.

.... CVETIC'S MEDICAL RECORD CORROBORATES THE CHARGE OF ALL THE VICTIMS OF THIS INFORMER THAT HIS TESTIMONY IS UNRELIABLE, THAT HIS MOTIVES ARE QUESTIONABLE, AND THAT HIS USE BY THE DEPARTMENT OF JUSTICE AND OTHER GOVERNMENT AGENCIES CALLS FOR AN INVESTIGATION. IN VIEW OF THE PSYCHOPATHIC RECORD

OF CVETIC, THE WESTERN PENNSYLVANIA COMMITTEE FOR PROTECTION OF THE FOREIGN BORN CALLS FOR THE IMMEDIATE REOPENING OF ALL CASES IN WHICH CVETIC HAS TESTIFIED. UNQUOTE. USA

MC ILVAINE STATED HE IS GREATLY CONCERNED OVER INFO RE CVETIC PHYSICAL CONDITION AS CVETIC IS PRINCIPAL WITNESS IN PENDING INS CASES, FIRST SCHEDULED FOR APRIL 11, 1955, TERM OF USDC, WDPA, CONCERNING JOSEPH LOUIS MANKIN, CIVIL ACTION 10934 (BUFILE 100-158914). USA MC ILVAINE INDICATED THAT MEDICAL RECORDS ST. FRANCIS HOSPITAL, PG, SHOULD BE CHECKED IN ORDER TO VERIFY WHETHER CVETIC PHYSICAL CONDITION IS AS DESCRIBED ABOVE. IT IS NOTED CVETIC WAS GOVERNMENT WITNESS IN PG SMITH ACT TRIAL DURING 1953 AND HAS BEEN PERIODICALLY CONTACTED BY THIS OFFICE WITH BUREAU AUTHORITY IN SGE CASES. INASMUCH AS CVETIC IS PRESENTLY CONSULTANT FOR INS AND HIS USE AS WITNESS BY THAT SERVICE IS CONTEMPLATED, THE BUREAU IS REQUESTED TO SUTEL WHETHER IT IS DEEMED ADVISABLE TO SUGGEST TO USA MC ILVAINE THAT HE REQUEST INS TO MAKE AN APPROPRIATE CHECK OF ST. FRANCIS HOSPITAL RECORDS RE CVETIC MEDICAL HISTORY.

HALLFORD

7:27 PM OK FBI WA NOS

RECEIVED:

3-29-55

7:30 PM

MEH

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's coding systems.

AIR-TEL

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

UNITED STATES DEPARTMENT OF JUSTICE

FD-36
Mr. Tolson
Mr. Boardman
Mr. Nichols
Mr. Belmont
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Sizoo
Mr. Winterrowd
Tele. Room
Mr. Holloman
Mr. Gandy

EX. Communist as witness
NY 3/31/55

Transmit the following Teletype message to: BUREAU

MATHEW CVETIC; INFORMATION CONCERNING. ON 3/31/55, NY 1286-S*

ADVISED ISIDORE GIBBY NEEDLEMAN (BUFILE 100-341652) CONTACTED
ABNER GREEN, EXECUTIVE SECRETARY, AMERICAN COMMITTEE FOR PROTECTION
OF FOREIGN BORN. CONTACT WAS ABOUT OTHER MATTERS, BUT AT END OF
DISCUSSION GREEN ASKED NEEDLEMAN, "HOW DO YOU LIKE OUR FRIEND
CVETIC?" NEEDLEMAN LAUGHED AND GREEN ASKED IF IT WASN'T TERRIFIC
TO WHICH NEEDLEMAN REPLIED, "THEY SHOULD ALL GO CRAZY." NEEDLEMAN
STATED HE SUPPOSED THEY "WILL GET A REPORT ON WHAT HAPPENED ON
THEIR MOTION." GREEN SAID, "YES THEY MADE IT MONDAY." GREEN
INDICATED THIS WAS WONDERFUL AND OF GREATEST IMPORTANCE TO THE CASE
IN THE COURT OF APPEALS IN CHICAGO ON [] (PH) (OR) []
(PH). GREEN STATED CVETIC HAD BEEN THE SOLE WITNESS. NEEDLEMAN
WONDERED IF THEY GOT THE REPORT FROM THE HOSPITAL THROUGH SUBPOENA

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- 3 BUREAU (REGULAR)
1 CHICAGO (INFO) (REGULAR)
1 PITTSBURGH (INFO) (REGULAR)
1 NY 100-78633 (NEEDLEMAN) (6)
1 NY 100-14691 (GREEN) (12-15)
1 NY 100-3620 (ACFPB) (7-2)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

1-22-90
Classified by SP8 BTJ/gh
Declassify on: OADR
312,836

JJO:CAH #6
NY 62-9310

DECLASSIFIED BY 60267 NIS/EP/DP
ON 10-12-99

901820

Approved: [Signature] Special Agent in Charge Sent M Per

INDEXED

100-418105-6

Mr. Belmont

RECORDED

APR 13 1955

67 APR 26 1955

INT. SEC.

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

~~SECRET~~

PAGE 2

Transmit the following Teletype message to:

[BUT GREEN DID NOT THINK SO. GREEN SAID HE HAD SEEN "HY" (PH)
IN WASHINGTON AND HE MENTIONED SOMETHING ABOUT GETTING IT OUT OF
PITTSBURGH, BUT SAID "THIS PERSON NOT USING SUBPOENA BECAUSE HE
WANTED TO REOPEN CASE." GREEN SAID "WE HAVE SYMPATHIZERS AND
FRIENDS, THEY MAY NOT AGREE WITH US BUT THEY DON'T LIKE LIARS
OR DRUNKARDS TO RULE THE ROOST." NEEDLEMAN AGREED WITH GREEN
AND THE CONTACT ENDED. NY 1286-S* CANNOT ADVISE ANY ADDITIONAL
DETAILS BUT IT SEEMS CVETIC HAS BEEN HOSPITALIZED, THE HOSPITAL
REPORT IS IN COMMUNIST HANDS, NOT THROUGH SUBPOENA, BUT THROUGH
HELP AND ON CVETIC'S MENTAL OR PHYSICAL CONDITION LEGAL MOVES
WILL BE MADE TO WIN A CASE AGAINST INS ON [REDACTED] (PH)
IN THE CHICAGO COURT OF APPEALS. (U) SUBMITTED FOR INFORMATION.
(X)

b6
b7C

KELLY

CC: MR. BELMONT
ADL SUPERVISOR
DOM. INTEL. DIVISION

Approved _____ Sent _____ M Per _____
Special Agent in Charge

~~SECRET~~

~~CONFIDENTIAL~~

Mr. Boardman
Belmont

THE ATTORNEY GENERAL

April 6, 1955

Director, FBI

EX-COMMUNISTS AS WITNESSES

DECLASSIFIED BY 60267 NIS/EP/DP
ON 10-12-99

901820

Reference is made to my memorandum of March 31, 1955, which furnished to you information concerning the hospitalization of Matthew Cvetic for an alleged nervous disorder. My memorandum also pointed out that the "Valley Journal," a newspaper publication at Millvale, Pennsylvania, is in possession of a file concerning [redacted] and should [redacted] and his attorney, Harry Alan Sherman, bring suit regarding an editorial concerning [redacted] published during August, 1954, the newspaper will make use of this file to expose [redacted] as a perjurer.

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For your information, the records of the St. Francis Hospital, Pittsburgh, Pennsylvania, were made available to an Agent of this Bureau on April 1, 1955. These records revealed that Matthew Cvetic was admitted to that hospital on February 17, 1955, upon application for admission signed by [redacted] who believed that Cvetic was mentally ill and requiring immediate temporary treatment in a mental hospital due to "drinking." W. J. Kelly, M.D., who examined Cvetic upon admission certified on February 17, 1955, that Cvetic was "mentally ill" from the following facts indicating mental disease: Pt. (patient) is restless, agitated, has a suspicious attitude, seems afraid, admits drinking heavily of late. Is admitted as a chronic alcoholic."

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The records further show that on February 17, 1955, [redacted] signed permission to physicians of St. Francis Hospital to use electric convulsive therapy or Metrazol therapy in the treatment [redacted]. The Hospital Psychiatric Division history sheet dated February 17, 1955, revealed that Cvetic used liquor very heavily for a period of five years and quit altogether two and one-half years ago.

Enclosure

GFM:lfj
(8)

Tolson _____
Boardman _____
Nichols _____
Belmont _____
Harbo _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
 Sizoo _____
Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____

59 APR 26 1955

~~CONFIDENTIAL~~

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and has been with "A.A." (Alcoholics Anonymous). This sheet further stated that Gvetic has been doctoring for a nervous condition and that he began drinking on February 13 and February 14, 1955, and again on February 17, 1955. The sheet revealed that on February 17, 1955, [redacted] went to [redacted] residence at the latter's request, found him to be despondent and unsettled and called the William Penn Hotel doctor who administered medicine and recommended hospitalization. Gvetic was described as a depressive person [redacted] could not understand him and who had been treated for a nervous condition shortly after his marriage in 1929 by one Dr. Mitchell. The history sheet which was signed by Cyril H. Necht, junior interne, revealed that on that date Gvetic was restless, anxious, and nervous and Necht was of the opinion that Gvetic was suffering from (1) early essential hypertension, and (2) anxiety neurosis.

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Gvetic was discharged from the hospital on March 5, 1955, at which time a discharge note was prepared by Dr. J. A. Malcolm. This note pointed out that Gvetic had been admitted for treatment in the Alcoholic Department, St. Francis Hospital. The note further pointed out that Gvetic was known previously because of anxiety reaction and that he used alcohol to excess in the past. The note indicated that Gvetic recently became depressed because of personal difficulties and began to drink which precipitated his admission to the hospital. The note further indicated that four shock treatments were administered in an attempt to dissipate the depression attitude and that Gvetic was considerably improved and was discharged earlier than planned due to urgent personal business. During the above-mentioned confinement electroshock therapy was administered; Gvetic's condition was improved, and the medical prognosis was listed as "good."

Gvetic was readmitted to St. Francis Hospital on March 17, 1955 by application signed by [redacted] which set forth no reason why [redacted] was believed to be mentally ill. A certification

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was executed on March 19, 1955, by E. J. Kelly, D.P., which revealed that Gvetic was believed to be mentally ill due to the fact that he "is apical, withdrawn, depressed, wanders about aimlessly, does not speak until spoken to, admits drinking recently."

A history sheet dated March 17, 1955, signed by David A. Gehring, Junior Intern, revealed that Gvetic was then believed to be suffering from hypertension. Gvetic was ultimately discharged from the hospital at 11:35 A.M. on March 26, 1955.

Gvetic's hospital file also contains a subpoena issued by the Court of Common Pleas of Allegheny County "in the matter of Hyman Schlesinger" which directed that all hospital records indicating hospital treatment to Matthew Gvetic from 1945 to the present be produced before the Committee of Offenses, Allegheny County War Association, Pittsburgh, on March 22, 1955. Director Harry Adole, Assistant Administrator, who made the above records available, stated that these records were produced before the Allegheny County War Association on March 22, 1955, for use in the disbarment proceedings conducted by that association with respect to Hyman Schlesinger, Pittsburgh attorney.

The above information is being furnished to United States Attorney John W. Hollivins in response to his request as noted in my letter of March 31, 1955.

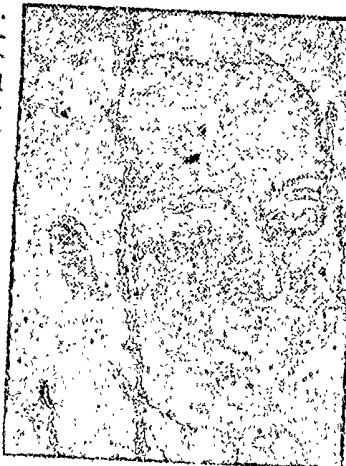
For your additional information on March 31, 1955, a source who has furnished reliable information in the past advised that Isaac Gliby Needleman, former labor attorney and suspected Soviet agent, was in contact with (b) Green, Executive Secretary, American Committee for Protection of Foreign Born, after discussing other matters, Green asked Needleman, "How do you like our friend Gvetic?" Needleman laughed and Green asked if it wasn't terrific to which Needleman replied, "They should all go crazy." Needleman stated that he supposed they "will get a report on what happened on their motion." Green replied, "Yes, they made it Monday."

Reveal Cvetic, Gov't Stoolie Was in Hospital as Alcoholic

PITTSBURGH, March 30 (FP).—Evidence that government witness Matthew Cvetic is a mentally unstable alcoholic was submitted by the Western Pennsylvania Committee for Protection of the Foreign Born in petitions seeking reopening of two deportation cases in which Cvetic testified.

Cvetic, who has a police record of an indictment for assault and battery on his sister-in-law, was revealed to have been a mental patient as recently as March 19.

Hospital records cited by the committee showed Cvetic was admitted to St. Francis Hospital, Psychiatric Division, on Feb. 17, was discharged March 5 and readmitted March 19. "Patient is restless, agitated, has a suspicious attitude, seems afraid, admits drinking heavily of late, is admitted as a chronic alcoholic," reported Dr. W. J. Kelly who examined Cvetic on his first admission according to the committee.



CVETIC

has been with Alcoholics Anonymous. Patient has been doctoring for a nervous condition. He started drinking this past Sunday and Monday, Feb. 13 and 14. . . . He has been very despondent and unsettled since (he resumed drinking)."

Cvetic's medical record "corroborates the charge of all the victims of this informer that his testimony is unreliable, that his motives are questionable, and that his use by the Justice Department and other government agencies calls for an investigation," the committee declared. It demanded immediate reopening of all cases in which Cvetic testified, and an investigation of "the informer racket" by the Senate judiciary committee.

The committee petition quoted further from the hospital record: "Patient used liquor very heavily for a period of five years, but quit altogether 2½ years ago and has been with Alcoholics Anonymous. Patient has been doctoring for a nervous condition. He started drinking this past Sunday and Monday, Feb. 13 and 14. . . . He has been very despondent and unsettled since (he resumed drinking)."

Cvetic has testified against hundreds of persons in political hearings and trials, as well as in denaturalization and deportation cases.

COPIES DESTROYED

58 SEP 27 1963

DATE 3/31/55 FILE 2 COPIES 2, 3, 4

PITTSBURGH PRESS
PITTSBURGH POST-GAZETTE
PITTSBURGH SUN-TELEGRAPH
PITTSBURGH COURIER

Daily Worker

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-12-99 BY 60267 NIS/EP/DD

901820

ENCLOSURE

100-417105-7

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Green indicated that the above was of the greatest importance to the case in the Court of Appeals in Chicago on [] or [] and stated that Gvetic had been the sole witness. (This probably refers to [] subject of an internal security investigation by this Bureau, who is under consideration for deportation to Yugoslavia. The deportation proceedings concerning [] have received publicity in the Chicago area.) Needleman wondered if the report had been obtained from the hospital through subpoena but Green did not think so. Green said that he had seen "Ivy" in Washington and mentioned something about getting it out of Pennsylvania, but said "this person not using subpoena because he wanted to reason with me." Green said, "to have sympathizers and friends. They may not agree with us but they don't like liars or drunkards to rule the roost."

For your additional information there is attached a photostat of an article concerning Gvetic's hospitalization which appeared in the "Daily Worker" for March 31, 1955.

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Regarding [] a source who has requested that his identity be kept confidential advised an agent of our Pittsburgh Office that he believes [] in carrying a firearm in a shoulder holster. Source based this belief on the fact that during the summer of 1954, [] purchased a suit and had a tailor sew a loop on the lining of the left-hand side of the jacket. The tailor questioned [] as to the purpose of the loop and [] replied that he wanted to pass a strap from his shoulder holster through the loop. When questioned as to why he was wearing a shoulder holster, [] replied either that he was "working for the Government" or "working for the FBI." Although source could not remember seeing [] wearing a shoulder holster, he advised that [] had in addition to the above suit, requested the tailor to sew a loop in a blue serge suit purchased by [] in the latter part of December, 1954.

~~CONFIDENTIAL~~

- cc - Mr. William P. Rogers (W/Enclosure)
Deputy Attorney General
- cc - Assistant Attorney General (W/Enclosure)
William F. Tompkins
- cc - Assistant Attorney General (W/Enclosure)
Warren Olney III
- cc - Commissioner (W/Enclosure)
Immigration and Naturalization Service

~~CONFIDENTIAL~~

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

AIRTEL

Transmit the following Teletype message to:

FBI PITTSBURGH

4/1/55

3:15 PM EST

DIRECTOR

MATTHEW CVETIC, FORMER PITTSBURGH SECURITY INFORMANT. REMYAIRTEL,

3/26/55; MYTEL, 3/29/55, AND BUTEL, 3/31/55. AS OF 4/1/55 RECORDS
OF ST. FRANCIS HOSPITAL, PITTSBURGH, PA., WHICH WERE MADE AVAILABLE

TO SA W. C. HENDRICKS, JR., BY SISTER MARY ADELE, ASSISTANT
ADMINISTRATOR, REVEALED THAT MATTHEW CVETIC WAS ADMITTED TO THAT

HOSPITAL ON 2/17/55 UPON APPLICATION FOR ADMISSION SIGNED BY [REDACTED]

[REDACTED] WHO BELIEVED CVETIC WAS MENTALLY ILL AND REQUIRING
IMMEDIATE TEMPORARY TREATMENT IN A MENTAL HOSPITAL DUE TO "DRINKING."

W. J. KELLY, M.D., WHO EXAMINED CVETIC UPON ADMISSION, CERTIFIED ON
2/17/55 THAT CVETIC WAS "MENTALLY ILL FROM THE FOLLOWING FACTS

INDICATING MENTAL DISEASE: PT. (PATIENT) IS RESTLESS, AGITATED,

HAS A SUSPICIOUS ATTITUDE, SEEMS AFRAID, ADMITS DRINKING HEAVILY OF
LATE. IS ADMITTED AS A CHRONIC ALCOHOLIC." ON 2/17/55 [REDACTED]

SIGNED PERMISSION TO PHYSICIANS OF ST. FRANCIS HOSPITAL TO USE

ELECTRIC CONVULSIVE THERAPY OR METRAZAL THERAPY IN TREATMENT OF [REDACTED]

WCH/jep
67-2584A
(6)

3 - Bureau (100-372409) (REGISTERED MAIL) (Encs. 3)

cc: 1 - PG 100-148 (ACFPB)
1 - PG 100-4137 (HYMEN SCHLESINGER)

INDEXED
RECORDED

2 ENCL.

cc Rogers
Tolson
Belmont
INS

6 APR 2 1955

Approved: _____

Special Agent in Charge

Mr. Belmont

Per _____

ENT SEC

FD-36
Mr. Tolson
Mr. Boardman
Mr. Nichols
Mr. Belmont
Mr. Harbo
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Sizoo
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

124

BAUMGARDNER

UNRECORDED

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

AIRTEL

Transmit the following Teletype message to:

PAGE TWO

HOSPITAL PSYCHIATRIC DIVISION HISTORY SHEET DATED 2/17/55 REVEALED THAT CVETIC USED LIQUOR VERY HEAVILY FOR PERIOD OF FIVE YEARS BUT QUIT ALL TOGETHER TWO AND ONE-HALF YEARS AGO AND HAS BEEN WITH "A.A." (ALCOHOLICS ANONYMOUS); THAT HE HAS BEEN DOCTORING FOR A NERVOUS CONDITION; THAT HE BEGAN DRINKING ON 2/13 AND 2/14/55 AND AGAIN ON 2/17/55. HISTORY SHEET REVEALED THAT ON 2/17/55 [REDACTED] WENT TO [REDACTED] RESIDENCE AT LATTER'S REQUEST, FOUND HIM TO BE DESPONDENT AND UNSETTLED AND CALLED WILLIAM PENN HOTEL DOCTOR, PITTSBURGH, WHO ADMINISTERED MEDICINE AND RECOMMENDED HOSPITALIZATION. CVETIC DESCRIBED AS DEPRESSIVE PERSON [REDACTED] COULD NOT UNDERSTAND HIM AND WHO HAD BEEN TREATED FOR A NERVOUS CONDITION SHORTLY AFTER HIS MARRIAGE IN 1929 BY ONE DR. MITCHELL. HISTORY SHEET DATED 2/17/55 AND SIGNED BY CYRIL H. WECHT, JUNIOR INTERNE, REVEALED THAT ON THAT DATE CVETIC WAS RESTLESS, ANXIOUS AND NERVOUS AND WECHT WAS OF OPINION THAT CVETIC WAS SUFFERING FROM (1) EARLY ESSENTIAL HYPERTENSION, AND (2) ANXIETY NEUROSIS. CVETIC DISCHARGED FROM HOSPITAL ON 3/5/55 AT WHICH TIME A DISCHARGE NOTE WAS PREPARED BY DR. J. A. MALCOLM. INSTANT NOTE POINTED OUT THAT CVETIC HAD BEEN ADMITTED FOR TREATMENT IN ALCOHOLIC DEPARTMENT, ST. FRANCIS HOSPITAL; THAT HE WAS KNOWN PREVIOUSLY BECAUSE OF ANXIETY REACTION, AND THAT HE USED ALCOHOL TO EXCESS IN THE PAST. THIS NOTE INDICATED THAT CVETIC RECENTLY

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b7c

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

AIRTEL

Transmit the following Teletype message to:

PAGE THREE

BECAME DEPRESSED BECAUSE OF PERSONAL DIFFICULTIES AND BEGAN TO DRINK WHICH PRECIPITATED ADMISSION TO HOSPITAL; THAT FOUR SHOCK TREATMENTS WERE ADMINISTERED IN ATTEMPT TO DISSIPATE DEPRESSION ATTITUDE AND THAT CVETIC WAS CONSIDERABLY IMPROVED AND WAS DISCHARGED EARLIER THAN "WE" PLANNED DUE TO URGENT PERSONAL BUSINESS. DURING ABOVE-MENTIONED CONFINEMENT ELECTROSHOCK THERAPY WAS ADMINISTERED; CVETIC'S CONDITION WAS IMPROVED, AND THE MEDICAL PROGNOSIS WAS LISTED AS "GOOD." CVETIC WAS READMITTED TO ST. FRANCIS HOSPITAL ON 3/17/55 BY APPLICATION SIGNED BY [REDACTED] WHICH SET FORTH NO REASON WHY [REDACTED] WAS BELIEVED TO BE MENTALLY ILL. CERTIFICATION EXECUTED ON 3/19/55 BY W. J. KELLY, M.D., REVEALED THAT CVETIC WAS BELIEVED TO BE MENTALLY ILL DUE TO FACT THAT HE "IS ASOCIAL, WITHDRAWN, DEPRESSED, WANDERS ABOUT AIMLESSLY, DOES NOT SPEAK UNTIL SPOKEN TO, ADMITS DRINKING RECENTLY." HISTORY SHEET DATED 3/17/55 AND SIGNED BY DAVID A. GEHRING, JUNIOR INTERNE, REVEALED THAT CVETIC WAS THEN BELIEVED TO BE SUFFERING FROM HYPERTENSION. CVETIC ULTIMATELY DISCHARGED FROM HOSPITAL AT 11:45 A.M. ON 3/26/55. CVETIC'S HOSPITAL FILE ALSO CONTAINS SUBPOENA ISSUED BY COURT OF COMMON PLEAS OF ALLEGHENY COUNTY "IN THE MATTER OF HYMEN SCHLESINGER" WHICH DIRECTED THAT ALL HOSPITAL RECORDS INDICATING HOSPITAL TREATMENT TO MATTHEW CVETIC FROM 1945 TO THE PRESENT BE PRODUCED BEFORE THE COMMITTEE OF OFFENSES, ALLEGHENY

b6
b7c

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

AIRTEL

Transmit the following Teletype message to:

PAGE FOUR

COUNTY BAR ASSOCIATION, NINTH FLOOR, CITY-COUNTY BUILDING, PITTSBURGH, ON 3/22/55. SISTER ADELE STATED THAT INSTANT RECORDS WERE PRODUCED BEFORE THE ALLEGHENY COUNTY BAR ASSOCIATION ON 3/22/55 FOR USE IN DISBARMENT PROCEEDINGS CONDUCTED BY THAT ASSOCIATION WITH RESPECT TO HYMEN SCHLESINGER, PITTSBURGH ATTORNEY WHOSE SERVICES ARE FREQUENTLY UTILIZED BY MEMBERS OF DISTRICT 5 CP. ENCLOSED HERewith ARE THREE PHOTOSTATIC COPIES OF AN ARTICLE CAPTIONED "REVEAL CVETIC, GOV'T STOOE WAS IN HOSPITAL AS ALCOHOLIC" WHICH APPEARED ON PAGE THREE, COLUMNS TWO THROUGH FOUR, OF THE 3/31/55 ISSUE OF THE "DAILY WORKER." PURSUANT TO BUREAU INSTRUCTIONS, THE ABOVE INFORMATION IS BEING FURNISHED TO USA JOHN W. McILVAINE.

HALLFORD

END

*Send memo to A.G.
Rogers & Tompkins.
H*

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

Mr. Tolson

March 16, 1955

~~CONFIDENTIAL~~

L. B. Nichols

DECLASSIFIED BY 60267 NIS/EP/DB
ON 10-12-99

401820

Class. & Ext. By Sprmac/jg
Reason-FCIM II 1-2.4.2
Date of Review 9-17-91

In response to the Director's request, there is set forth the principal arguments I have been using on the use of informants, necessity, etc.

The so-called informant is as old as man. History is replete with accounts of their use. In fact, Moses employed this device when he sent, by virtue of a Divine directive, men to spy on the land of Canaan for forty days, sizing up the people, their cities and mode of life. (Numbers 13 and 14). As a result of information gained, and the question of confrontation was not raised, the chosen people were lead to greater accomplishment that started the glorious tradition of a race proud of its culture and which has never wavered in its quest for freedom.

The use of the informant coincided with the rise and fall of civilization. Hannibal, after a long siege of a city in Sicily, sent a trusted war veteran into the city - there he developed his informants and reported back to Hannibal on the weaknesses of what were supposed to be impregnable fortifications.

Herodotus in Book V of his Persian wars, 500 B.C., proved that through the use of informants the best information comes from the inner citadel of the enemy. Such information down through the years protected truth and justice and was the indispensable weapon on the side of freedom.

Wilhelm Stieber made possible the rise of Bismark by developing a network of informants that lasted until World War I.

Nathan Hale was a Revolutionary hero who developed informants.

Tolson _____
Boardman _____
Nichols _____
Belmont _____
Ladd _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
 Sizoo _____
 Winterrowd _____
Tele. Room _____
 Holloman _____
 Gandy _____

Confidential cannot be lost
and must be kept secret. If
lost all the work of the
Department will be lost.
This copy is to be
destroyed.

RECEIVED
MAY 10 1955
MAY 10 1955
MAY 10 1955

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP (S) OF
DATE 11-6-81

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

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In fact, the wild clamor today against informants is an assault on tradition and custom. The Communist tactic of divide and conquer, as the Fascist tactic, first seeks to sow seeds of doubt and debunk tradition.

The informant system was well established in the old English Common Law and later Parliament, by enactments, provided for forfeitures and penalties with a portion going to the King, the poor and the informer.

As early as 1789, Congress gave sanction to the role of the informer to stimulate enforcement of custom laws. Today the informer gets 25 per cent of amounts recovered, not to exceed \$50,000, in forfeitures under the customs laws. (Title 19, USC, 1619)

Informers are authorized by Congress to bring suits in the name of the U. S. Government in frauds against the Government with a potential reward of one-fourth of the proceeds of the suit. (T 31, USC, 232)

One-half of the penalty goes to informers in Indian Affairs cases. (T 25, USC 201). Informers also can secure one-half of benefits in seizures of liquor on Indian reservations. (T 18, USC 913).

Evasion of Internal Revenue laws can secure up to one-half of the penalty recovered. (T 26, USC, 3617). Narcotic laws, Title 21, USC, 193; Navigation laws, Title 46, USC, 497 and 710; Postal laws, Title 39, USC, 9; and numerous other Acts of Congress recognize the informer as an institution and give him protection.

In criminal law enforcement, the informer is a well-established institution. The same applies to the one American institution that is our most potent protection against tyranny - the American press. There is little difference in the use of the informer by the press and particularly some columnists who use the investigative process.

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Few Pulitzer Prizes have been won without first the tip and then development of the sources of information. Some of the most glorious days of journalism are found in the tradition of the press in protecting its sources of information. Even reporters have gone to jail and to fame by standing firm - i.e., Martin Mooney in New York exposures.

The FBI has always protected its sources and it has been able to secure information because of its tradition of maintaining a confidence. In the few cases where informants have been disclosed, it has been by their own acts: the "Woman in Red" who fingered Dillinger; through policy determination and the judicial process - the Coplon case; and through inadvertence of the informer himself.

Times - events - situations - all dictate procedures. So far as the FBI is concerned, the informant became of paramount importance with the rise of clandestine movements whereby the only proof of the conspiracy came as a result of penetrating the lair of the conspirator. b7D

This Nation forever owes a debt of gratitude to [] the FBI informer who went to the Nazi spy school in Germany and around whom the German Espionage Service was built prior to World War II. Defense policies were influenced by him, but had confrontation been forced prematurely, the people of the United States, not the FBI, would have suffered because responsibility has a way of finding its final resting place. The informant contributed to the unparalleled record of no enemy sabotage in World War II. Because of the informant the dangerous alien enemies were promptly arrested after Pearl Harbor.

The only way the Ku Klux Klan, as well as the Communist Party, has been thwarted, is through the informant.

This Nation would become defenseless and open prey if arms and ammunition were taken from our Armed Services. By the same token, it would be helpless against the subversive if the FBI were deprived of its informants and confidential investigative techniques.

The proof of this is found in the intensity with which the Communist Party has sought to expose, discredit and destroy informants and former Communists who have testified.

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From the earliest days, Communists have reserved their vilest epithets for the informant whom they labelled as "stool pigeons." The Daily Worker and Communist publications are constantly shrieking at the informant. Pamphlets are sent out broadside and propaganda attacks leveled at informants; smear brigades write letters to editors and public officials.

All America hates a "double crosser" and those who "snitch" - thus, the Communists have directed an attractive appeal that has influenced good Americans. To pervert justice is an American horror - thus, the Communists find a ready-made instrument in the double-dealing Harvey Matusow.

By applying syllogistic reasoning, they start out with the premise that the FBI uses informants - Matusow was an informant - Matusow recanted - therefore all informants are potential recanters and should be banned.

FBI safeguards against double crossers must work, otherwise, Matusow would not be the first case of its type and the record is clear that Matusow was dropped as an informant in December of 1950 after being carried in this role for six months. Even so, Matusow has not been proven to be wrong - he just says he is after he placed himself back in the Communist clutches.

Eighty-two Smith Act convictions, each brought about through the use of informants, have been subjected to the strictest judicial scrutiny. To date the convictions stand.

In loyalty cases the FBI is a service agency. In the early days of the loyalty program the Director laid the facts on the line before the Civil Service Loyalty Review Board which fixed the policy and the Board faced the realistic fact that the protection of the government demanded that all information bearing on loyalty be secured, even if it meant concealing identities. It is unfortunate, but true, that in many instances more energy has been diverted in ascertaining the identity of informants than in ascertaining the truth furnished by informants.

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The FBI checks upon informants by checking other informants, by ascertaining whether they were at certain points and by following out all leads if informants turn sour or become unreliable. They are dropped faster than chained lightning. Of course, one turns out bad on occasions, so did one of the Twelve Disciples; but are the others to be condemned who have been proven? And where do the loudest shouts emanate?

Unfortunately, the true record has not been placed before the public. By Executive Order loyalty data cannot be disclosed. There is no way whereby the FBI can make public the record when the charge is made that a Government employee does not know his accusers. The facts are to the contrary. The FBI endeavors to secure signed statements. In some instances this is not possible because the informant is not a live person but an event - a Communist Party dues book or document produced by another informant which has on many occasions been found to be in the handwriting of the accused. (S)(U)

The informant is an institution - in criminal proceedings there is the constitutional safeguard of confrontation - but employment in the Government is a privilege and not a right and the employer has the right to employ whom he chooses. When the employer is the Government and a public trust, the employer has the duty to resolve doubt in the interest of security.

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Sure, a lot of people are against security and loyalty programs, but for what reason. [redacted] wrote letters denouncing security to the editor for 4 years before his arrest for a security breach. Naturally he was against security and the same applies to others.

~~CONFIDENTIAL~~

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. L. V. Boardman

DATE: April 7, 1955

FROM : Mr. A. H. Belmont

SUBJECT: EX-COMMUNISTS AS WITNESSES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-12-99 BY 60267 NIS/EP/DO
901820

Tolson	_____
Boardman	_____
Nichols	_____
Belmont	_____
Mohr	_____
Parsons	_____
Rosen	_____
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Gandy	_____

In connection with his conference with Attorney General on Tuesday, April 5, 1955, Director has indicated reference was made to case of [redacted] at which time Director advised Attorney General of developments in libel action brought against [redacted] by [redacted] Assistant Attorney General Tompkins indicated his Division had not been advised of such information. Director desired to know when information was received, whether it was forwarded to Tompkins, and if not the reason therefor.

In this regard it is noted that by memorandum dated April 5, 1955, from you to the Director information was set forth that it had been learned from Departmental Attorney Troy B. Conner in a discussion relative to other matters that the above-mentioned conference with Attorney General would possibly include discussion of five individuals, one of whom was [redacted] who have been utilized as witnesses before the Subversive Activities Control Board. At this time Conner indicated that Department was making inquiry of United States Attorney in Seattle to ascertain current status of libel action against [redacted]

Inasmuch as it was indicated that [redacted] would be individually discussed at the Attorney General's conference it was felt the Director should have the latest information on this libel action. Such information was telephonically obtained, therefore, from our Seattle Office on Friday, April 1, 1955, and inserted in the brief for the Director on this matter.

In view of the previous advice that Department was obtaining this information it was not felt necessary to forward same upon receipt from Seattle. Since Department apparently was not successful in obtaining such information, however, it is being furnished at this time.

RECOMMENDATION:

It should have been sent upon receipt

There is attached for your approval an appropriate communication to the Department in accordance with the above.

Enclosure

RECORDED

cc - Mr. Boardman
Mr. Belmont
Mr. Thornton
WCT:lfj (4)

10 APR 13 1955

yes. 10.

In accordance with the desires of the Director copies of our reply to the Attorney General's memorandum of March 28, 1955, relative to the review of our files regarding 84 individuals who have been or may be utilized as Government witnesses in cases before the Subversive Activities Control Board, are being forwarded to Mr. Olney and the Immigration and Naturalization Service at this time.

V. ~~---~~

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WCT JB

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

DATE: March 24, 1955

FROM : Mr. L. V. Boardman *LB*
4-1-55

SUBJECT: EX-COMMUNISTS AS WITNESSES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-99 BY 60267 NIS/EP/DD
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Parsons	_____
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Gandy	_____

Under date of March 21, 1955, the Attorney General has submitted a status report regarding the use of ex-Communists as witnesses. This report contains instructions as to future steps to be taken by the various divisions of the Department and is in the nature of a follow-up to the Attorney General's memorandum of February 21, 1955.

The memorandum dated March 21, 1955, covers a number of separate but interrelated topics. For the sake of clarity, observations concerning each topic and an appropriate recommendation are being set forth in the same order that they appear in the Attorney General's memorandum.

1. MATUSOW MATTERS

Item 1 (a) deals with employee security cases in which Matusow furnished information. The Attorney General states that if the FBI finds additional such employee security cases, or similar cases other than employee cases, it will notify Internal Security Division.

Observation:

By memorandum dated March 2, 1955, the Attorney General was furnished a list of employee security cases found to contain information from Matusow. Copies of the list were also furnished to Messrs. Rogers and Tompkins and to the Records Administration Branch of the Department. In addition, each Government agency concerned was advised of the identity of the particular document containing Matusow's information and was advised of the temporary informant symbol given Matusow in those instances where his identity was concealed. Several additional cases have since been located and the Department and pertinent Government agencies have been advised. Should other cases containing information from Matusow

Attachment

cc: Mr. Boardman
Mr. Belmont
Mr. Rosen
Mr. Keay
Mr. Stanley
Mr. Baumgardner
Mr. McInturff

GFM:lfj (8)

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be located, appropriate notification will be given the Department and any other Government agency concerned.

Likewise, in security and other similar cases, in each case wherein it has been determined that Matusow furnished information and was concealed by a T symbol or characterized as to reliability, we have advised the Records Administration Branch and other agencies to whom the reports were disseminated.

Recommendation:

It is recommended that we advise the Attorney General that the FBI has already advised interested Government agencies in cases wherein Matusow has furnished information and has been concealed by a temporary symbol or characterized as to reliability.

Item 1 (b) deals with Immigration and Naturalization Service (INS) cases in which Matusow has testified. There is no comment since this pertains to INS alone.

Item 1 (c)(i) deals with a report to be submitted by Messrs. Tompkins and Lumbard on Court cases, Subversive Activities Control Board (SACB) cases and employee security cases in which Matusow was involved. For your information on March 12, 1955, the motion for a new trial in the Clinton Edward Jencks case was denied and on March 16, 1955, Judge Robert E. Thomason, Western District of Texas, sentenced Matusow to three years for contempt for repudiating his Jencks trial testimony.

The hearing in the Flynn (New York Smith Act) case ended March 21, 1955. Briefs are to be filed with Judge Dimock by March 25, 1955.

SACB cases are discussed below and employee security cases are covered above.

Recommendation:

We are following very closely the hearings relative to the Flynn case and you will be advised of pertinent facts as they occur.

Item 1 (c)(ii) states that the report of Messrs. Tompkins and Lumbard should cover evidence of a Communist plot against the Department, any part thereof, or of a campaign against Government informants and witnesses. For your information a detailed eight-page memorandum with thirty attachments relating to this subject was furnished to Assistant Attorney General Tompkins on March 14, 1955; additional information was furnished to the Attorney General, Messrs. Rogers and Tompkins on March 14, 1955, and further information to Assistant Attorney General Tompkins by memorandum of March 17, 1955.

Recommendation:

We will continue to keep the Department currently advised of all information received reflecting on this subject.

Item 1 (c)(iii) deals with possible discipline of any Department employee who did not maintain proper standards in preparing or using Matusow in behalf of the Government. No comment is being made since this is a Department matter.

This item also deals with a memorandum from INS dated February 24, 1955, wherein INS states that Matusow was not used as a witness after April 8, 1954, "on receipt of information that the subject had written letters to his wife in which he stated that he had committed perjury in testifying regarding Communism." The Attorney General asks if the FBI and Internal Security were notified of this at the time. We have not located any indication that INS did call our attention to this information at the time; however, it is felt that this is a matter for INS to answer rather than the FBI.

This item also asks whether newspaper reports are accurate which state that Matusow testified before a Congressional Committee that he could personally identify 10,000 Communists in New York City. Our files reflect that Matusow on March 13, 1952, testified before the Senate Subcommittee on Internal Security, Washington, D. C., in a hearing concerning the Institute of Pacific Relations. Matusow said that while a Communist Party member he had worked in three Communist Party bookshops. He described the

nature of these bookshops and when questioned concerning people coming in to buy books he stated "Yes, in my position in the bookshop I knew by sight probably 10,000 Party members in New York. I had seen them at various mass meetings or they knew me to be a Communist." A copy of this public hearing was furnished to Assistant Attorney General Charles B. Murray by memorandum dated September 23, 1952, captioned "Institute of Pacific Relations, Espionage - R." Our memorandum pointed out that this testimony contained testimony of Harvey M. Matusow.

This item also asks "Was there anything in Bishop Oxnam's public statements that should have alerted us?" Information concerning Bishop Oxnam's statement that Matusow had admitted that he had lied was furnished to the Department by memoranda dated July 6 and 20, 1954.

Recommendation:

It is recommended that we point out to the Attorney General that Matusow's statement concerning 10,000 Communists was furnished to the Department and that information concerning Bishop Oxnam's statement was also furnished to the Department.

Item 1 (c)(iv) states that the report of Messrs. Tompkins and Lumbard should include recommendations as to proposed prosecution or further Congressional investigation of Cameron, Kahn or other individuals or labor unions.

For your information Donald Angus Cameron is a Security Index subject. He appeared before the Eastland Committee on February 17, 18, 1955, in Executive Session and invoked the Fifth Amendment when asked if he was a Communist Party member. The testimony was forwarded to New York by Bureau letter March 3, 1955, for analysis to determine if Cameron committed perjury in his testimony.

Albert Eugene Kahn is a Security Index subject. Kahn testified before the Eastland Committee in Executive Session on February 23, 26, 1955, and invoked the Fifth Amendment in answer to questions concerning his membership in the Communist Party. Kahn's testimony was forwarded to New York by letter dated March 17, 1955, for analysis to determine if Kahn committed perjury.

We have learned that the International Union of Mine, Mill and Smelter Workers (IUMMSW) agreed in September, 1954, to buy 2000 copies of Matusow's book at 50 cents each. This agreement was made with Cameron and Kahn, publishers of the book, before Matusow had even contacted Cameron and Kahn. Kahn later put Matusow in touch with Nathan Witt, attorney for the union, who obtained an affidavit from Matusow repudiating his testimony in the Jencks case.

This chain of circumstances is being considered, along with other evidence, by Federal Grand Juries in New York and El Paso as a possible conspiracy to obstruct justice.

Recommendation:

We will follow closely all ramifications of the Matusow matter including those dealing with Cameron, Kahn, and the IUMMSW.

Item 1 (c)(v) states "Should there be closer liaison between INS and the FBI as to information as to witnesses and informants?" Under date of May 13, 1954, a

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letter was transmitted to the Attorney General concerning informants and witnesses used by INS. Attached was a 74-page memorandum furnishing brief sketches on each informant or witness being used by INS. It was pointed out that although many of the individuals used by INS appeared to be completely reliable, others such as Matthew Cvetic, [redacted] and Harvey Matusow have demonstrated their untrustworthiness and unreliability. It was stated in this memorandum that it was strongly felt that the FBI should not be called upon to vouch for the reliability of those individuals who are not under our control nor attempt to advise INS which informants or witnesses it should or should not use in connection with prosecution under its jurisdiction.

Recommendation:

It is recommended that we advise the Attorney General that we will be glad to furnish information in our possession to INS concerning informants and witnesses being used by that Agency.

Item 1 (c)(vi) deals with instructions to Departmental professional employees concerning the responsibility of trial attorneys for the reliability of witnesses. No comment is being made since this is a Departmental matter.

Item 1 (d) deals with SACB cases in which Matusow testified. It is to be noted that in the Communist Party case and the Labor Youth League case Matusow's testimony was disregarded in toto and both cases were decided in favor of the Government. In the cases involving the National Council of American-Soviet Friendship and the Veterans of the Abraham Lincoln Brigade, Mr. Tompkins has advised the Attorney General that Matusow's testimony could be stricken without affecting the case. The Attorney General requests that Mr. Tompkins advise him concerning these two cases.

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Item 2 deals with investigation of [redacted]
[redacted] We have previously advised the Attorney General that [redacted] was never used as an informant. A perjury investigation on [redacted] arising out of his allegation that he was prevailed upon by Government personnel to testify falsely at the Federal Communications Commission hearing on Edward Oliver Lamb, is being conducted and reports are being furnished to the Department as soon as they are received, reviewed and analyzed.

Recommendation:

We will continue to follow closely the [redacted] perjury investigation.

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Item 3 in the Attorney General's memorandum pertains to the case of [redacted]
[redacted] testimony before the Federal Communications Commission in the Lamb hearing. The Attorney General's memorandum states that Mr. Olney should keep the Attorney General advised as to developments in the indictment of [redacted]

Recommendation:

Any matters of interest to the Bureau in connection with the [redacted] case will be followed closely and you will be kept advised.

Item 4 in the Attorney General's memorandum pertains to Matthew Cvetic and [redacted]. The Attorney General asks that the Bureau advise as to whether evidence from these two former informants was used in any employee security cases.

We have previously called the attention of the Department to derogatory information concerning these two individuals. Both Cvetic and [redacted] were informants who subsequent to their discontinuance have engaged in activities which have been questionable. Both have attempted to capitalize on their former informant status and both have made statements which were exaggerated and designed to capture the public's imagination. Information supplied by these two individuals while they were informants, however, has been cross checked and much of it verified. There has been no positive indication that either of these informants furnished information known to be unreliable while they were informants. On March 10, 1955, the Executive Conference took up the question of informants of this type and it was unanimously recommended that the Bureau not attempt to go back and re-evaluate the reliability of a former informant as to information furnished by him while he was an informant in the absence of a definite indication that the informant furnished unreliable information to the Bureau while he was an informant.

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Information furnished by Cvetic and [redacted] has been widely disseminated and has been used in Security of Government Employees investigations.

By airtel dated March 26, 1955, and teletype dated March 29, 1955, Pittsburgh has advised that Cvetic was confined to the St. Francis Hospital, Pittsburgh, on two occasions in February and March, 1955, for a nervous condition. Pittsburgh has furnished information contained in a press release concerning Cvetic's hospitalization which release was apparently prepared by the Western Pennsylvania Committee for the Protection of Foreign Born. The press release states that petitions have been filed in two deportation cases in which Cvetic testified and further calls for the immediate reopening of all cases in which he has testified. This would include the Pittsburgh Smith Act trial as well as Subversive Activities Control Board cases concerning the Labor Youth League and the Civil Rights Congress. United States Attorney, Pittsburgh, requested the Bureau to check the hospital record regarding Cvetic and Pittsburgh is being instructed to check these records and advise the United States Attorney and the Bureau of the results. Information has also been received from Pittsburgh that Matthew Cvetic, on March 16, 1955,

was arrested for drunken driving by the Brownsville, Pennsylvania, Police Department. Pittsburgh further advises that information has been received that the "Valley Journal," a newspaper published at Millvale, Pennsylvania, is in possession of "a file" concerning [redacted] which apparently contains information exposing [redacted] as a "perjurer." This file is to be used in the event [redacted] and [redacted] sue the newspaper over a derogatory editorial, the paper printed concerning [redacted]
[redacted]

RECOMMENDATION

Concerning Matthew Cvetic, it is to be noted that he was discontinued in January, 1950, in view of his repeated demands for more pay and the difficulty in controlling his activities. Since 1950 we have received repeated indications that he has been drinking and we warned the Department that he should not be used in the Pittsburgh Smith Act trial. Concerning [redacted] it is to be noted that [redacted] was discontinued effective April 30, 1953, following his testimony in the Smith Act trial. We have had considerable trouble with [redacted] since that time and the Department has been kept fully advised. It is believed we should advise the Attorney General that both Cvetic and [redacted] have furnished information which has been used in employee security cases. The Attorney General should be further advised that information furnished by these two individuals while they were informants was cross-checked and much of it verified by other sources. The Attorney General should be further advised that there has been no positive indication that either Cvetic or [redacted] furnished unreliable information and that the difficulties we have encountered with them have primarily been confined to the period following their discontinuance as informants. The Attorney General should be advised of the additional information which has been received concerning the hospitalization of Matthew Cvetic and his arrest for drunken driving and other additional information received concerning [redacted] and the "file" being maintained concerning him by the "Valley Journal."

Item 6 applies to [] and [] both of whom have been used by the Department as witnesses in the past. The Attorney General states that Mr. Rogers should advise the Attorney General as to his opinion on [] and [] and particularly as to whether we (the Department) should now answer the inquiry as to them from the International Organizations Security Board.

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This apparently applies to the testimony of these two individuals in the [] case. [] and [] in 1954 testified that [] was a member of the Communist Party in 1934 or 1935. This testimony was denied by Bunche and by [] at whose office [] was supposed to have attended a Communist Party meeting, according to [] and []. In July, 1954, the Department requested additional investigation by the FBI as to whether [] and [] may have perjured themselves. Additional investigation did not result in evidence which would resolve the question. The Department has received all reports in the [] case. No further action by the Bureau appears to be required at this time.

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H. Belmont
B. Reddy

THE ATTORNEY GENERAL

March 31, 1955

Director, FBI

EX-COMMUNISTS AS WITNESSES

ALL INFORMATION CONTAINED
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DATE 10-13-99 BY 60261 NIS/EP/DP
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Reference is made to your memorandum of
March 21, 1955.

Under Item 1 (a) you requested that if the
FBI finds additional employee security cases in which
evidence furnished by Matusow was used or similar cases
other than employee cases, the FBI should notify the
Internal Security Division. You also stated that the
Internal Security Division is to advise the appropriate
Government agency of each such case, recommending a
review.

For your information, each Government agency
which has received reports on employee security cases
containing information furnished by Harvey Matusow has
been advised of the identity of the particular document
containing Matusow's information as well as the temporary
informant symbol given Matusow in those instances where
his identity was concealed. Several additional employee
security cases in which Matusow furnished information have
been located since my memorandum of March 2, 1955, and the
Department and pertinent Government agencies have been
advised appropriately. Should any other cases of this
type be located similar action will be taken.

Regarding cases other than employee security
cases, the Records Administration Branch of the Department
and other Government agencies which have received reports
containing information furnished by Matusow wherein his
identity was concealed by a temporary informant symbol or
where Matusow was characterized as to reliability have been
notified of the location of Matusow's information in the
reports and his present unreliability. Any other cases of
a similar nature which are located in the future will be
appropriately handled.

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NOTE ON YELLOW: See memo to The Dir
dated 3/24/55 Re as above. Initial

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Under Item 1(c) (iii) you asked whether newspaper reports are accurate which state that Matusow testified before a Congressional committee that he could personally identify 10,000 Communists in New York City. You further asked whether this statement is reflected in Department files. The files of this Bureau indicate that such a statement was made by Matusow in testimony on March 13, 1952, before the Senate Subcommittee on Internal Security in hearings relating to the Institute of Pacific Relations. Matusow's statement appears in part 11 of the record of these hearings which was furnished to Assistant Attorney General Charles B. Murray by memorandum dated September 23, 1952, captioned "Institute of Pacific Relations, Espionage - R."

Under this same item you asked whether anything in Bishop Oznam's public statements should have alerted us. For your information, Bishop Oznam's statement to the effect that Matusow had stated that he had lied to Congressional committees was reportedly made at a conference of the Methodist Church during the early part of June, 1954. Information concerning this statement was furnished to Assistant Attorney General Warren Olney III by letter dated July 6, 1954, and copies of newspaper articles concerning this matter were furnished to Assistant Attorney General William F. Tompkins by letter dated July 20, 1954.

Under Item 1 (c) (v) you asked whether there should be closer liaison between the Immigration and Naturalization Service and the FBI as to information as to witnesses and informants. We will, of course, furnish information in our possession to the Immigration and Naturalization Service concerning informants and witnesses being used by that Agency.

Under Item 4, you requested the FBI to advise as to whether evidence from Matthew Guetic or [redacted] was used in any employee security cases. Both of these individuals furnished information to the FBI as informants for a number of years. Information furnished by them while they were in informant capacities was cross-checked and much of it was verified by other sources. There has been

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no positive indication that either Cvetic or [] furnished unreliable information. Much of this information has been disseminated and has been used in employee security cases. It is pointed out that the difficulties which we have experienced with both Cvetic and Lasset have primarily been confined to the period following their discontinuance as informants and each of them has attempted to capitalize on his past informant work for the FBI. Both Cvetic and [] have made public statements which are exaggerated and designed to capture the public interest. Cvetic has moreover been accused of intoxication on a number of occasions and [] has made false statements about his relationships with the FBI in the past. Your attention is directed to my letter of March 9, 1955, captioned as above, which furnishes additional details concerning these two individuals.

On March 16, 1955, James Eddie, Chief of the Brownsville, Pennsylvania, Police Department, telephonically advised this Bureau that Cvetic had been arrested by that Department for drunken driving. According to Chief Eddie, Cvetic had driven his automobile into a ditch. Chief Eddie requested advice as to what action he should take with regard to Cvetic and was advised that that individual had no present connection with the FBI and that this Bureau would not intercede for him in any way.

On March 25, 1955, a reliable confidential informant of our Pittsburgh Office advised that during a March 24, 1955, meeting sponsored by the Pittsburgh Civil Rights Congress which dealt primarily with informants, a report which appeared to be a medical analysis concerning Cvetic was read. According to the informant, the report dealt with Cvetic's recent psychiatric treatment at St. Francis Hospital, Pittsburgh, and [] of the Western Pennsylvania Committee for Protection of Foreign Born, pointed out that her organization and the Civil Rights Congress would immediately begin preparation of a petition for submission to the United States District Court, Pittsburgh, and to the Immigration and Naturalization Service, pointing out that Cvetic's

testimony at the Immigration and Naturalization Service Hearings and at the Pittsburgh Smith Act trial was valueless since Cuetic was suffering from a nervous disorder.

On March 29, 1955, United States Attorney John V. McIlvaine, Western District of Pennsylvania, advised our Pittsburgh Office that he is in possession of a copy of a press release, apparently prepared by the Western Pennsylvania Committee for Protection of Foreign Born. Portions of this release, which had not been printed as of March 29, 1955, read as follows:

"The Western Pennsylvania Committee for Protection of the Foreign Born announced today that petitions have been filed in two deportation cases introducing new evidence relating to the mental illness of Matthew Cuetic, main witness in both proceedings. Attached to each petition is a summary of the hospital record, which shows that Cuetic was admitted to St. Francis Hospital, Psychiatric Division, on February 17, 1955, was discharged March 5, 1955, and re-admitted on March 19. ... Dr. W. J. Kelly, who examined Cuetic on his first admission, found 'patient is restless, agitated, has a suspicious attitude, seems afraid, admits drinking heavily of late, is admitted as a chronic alcoholic.' According to the history obtained by the admitting physician, the patient was always rather a depressive person. His son never could understand him, he never discussed his problems with him, and he is at a loss to know what his trouble is at present, other than being lonely. He lives in a hotel room alone and has been writing a book. He has been very despondent and unsettled since he resumed drinking. He paced back and forth in his hotel room,

he ate and slept very little since Sunday. Patient used liquor very heavily for a period of five years, but quit altogether two and one half years ago and has been with alcoholics anonymous. Patient has been doctoring for a nervous condition. He started drinking this past Sunday and Monday, February 13 and 14. Since he was so despondent, his son called the hotel doctor who gave him some medicine and recommended hospitalization. ... Cuetic medical record corroborates the charge of all the victims of this informer that his testimony is unreliable, that his motives are questionable, and that his use by the Department of Justice and other Government agencies calls for an investigation. In view of the psychopathic record of Cuetic, the Western Pennsylvania Committee for Protection of the Foreign Born calls for the immediate reopening of all cases in which Cuetic has testified."

United States Attorney McIlvaine stated that he was greatly concerned over this development, since Cuetic is the principal witness in pending Immigration and Naturalization Service cases, the first of which, concerning Joseph Louis Mankin, is scheduled for the April 11, 1955, term of court. Mr. McIlvaine requested that the medical records at St. Francis Hospital be checked in order to verify whether Cuetic's physical condition is as described in the press release. Our Pittsburgh Office has been instructed to make this check and furnish the results to United States Attorney McIlvaine and to the Bureau, for transmittal to the Department.

With further reference to the Civil Rights Congress meeting on March 24, 1955, our informant advised that Allan McNeil, Secretary of "The Committee To End Sedition Laws" stated that the "Valley Journal," a newspaper published at Hillvale, Pennsylvania, is in possession of a file concerning [redacted] and should

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[redacted] and [redacted] bring
suit regarding an editorial concerning [redacted] published
[redacted] the newspaper will make use of this
file to expose [redacted] as a perjurer. McNeil further
stated that in the event the "Volley Journal" does not
make use of this information, there are two large newspapers
in Pittsburgh which also want to expose [redacted]. The
informant advised that the names of the newspapers were
not mentioned and that he is unable to state how much
truth exists in McNeil's statement.

2 cc - Mr. William P. Rogers
Deputy Attorney General

2 cc - Assistant Attorney General
William F. Tompkins

2 cc - Commissioner
Immigration and Naturalization Service

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

DATE: March 24, 1955

FROM : Mr. L. V. Boardman

SUBJECT: EX-COMMUNISTS AS WITNESSES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIEDDATE 10-13-99 BY 60367 NIS/EP/DD
901820

Tolson _____
Boardman _____
Nichols _____
Belmont _____
Harbo _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Sizoo _____
Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____

Attached is a nine page detailed memorandum analyzing the Attorney General's memorandum of March 21, 1955. The Attorney General's memorandum is addressed to Deputy Attorney General Rogers, the Director, Assistant Attorneys General Tompkins, Olney and Rankin and Commissioner Swing of the Immigration and Naturalization Service. The memorandum deals with a number of different problems throughout the Department connected with Harvey Matusow, [redacted] and [redacted] relating to the FBI are dealt with in this summary memorandum. The portions directly

Item 1 (a) deals with employee security cases in which Matusow furnished information. The Attorney General states that if the FBI finds additional such employee security cases or similar cases other than employee cases, it will notify Internal Security Division.

By memorandum dated March 2, 1955, the Attorney General was furnished a list of employee security cases found to contain information from Matusow. Copies of the list were also furnished to Messrs. Rogers and Tompkins and to the Records Administration Branch of the Department. In addition, each Government agency concerned was advised of the identity of the particular document containing Matusow's information and was advised of the temporary informant symbol given Matusow in those instances where his identity was concealed. Several additional cases have since been located and the Department and pertinent Government agencies have been advised. Should other cases containing information from Matusow be located, appropriate notification will be given the Department and any other Government agency concerned.

Likewise, in security and other similar cases, in each case wherein it has been determined that Matusow furnished information and was concealed by a T symbol or characterized as to reliability, we have advised the Records Administration Branch and other agencies to whom the reports were disseminated.

Attachments (2) Sent 3-31-55 100-418105-10
cc - Mr. Boardman Mr. Stanley
Mr. Belmont Mr. Baumgardner
Mr. Rosen Mr. McInturff
Mr. Nease

GFM:ejp (8)

RECORDED

1 APR 13 1955

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Item 1 (c) (iii) deals with a memorandum from INS dated February 24, 1955, wherein INS states that Matusow was not used as a witness after April 8, 1954, "on receipt of information that the subject had written letters to his wife in which he stated that he had committed perjury in testifying regarding Communism." The Attorney General asks if the FBI and Internal Security were notified of this at the time. We have not located any indication that INS did call our attention to this information at the time; however, it is felt that this is a matter for INS to answer rather than the FBI.

Item 1 (c) (iii) asks whether newspaper reports are accurate which state that Matusow testified before a Congressional Committee that he could personally identify 10,000 Communists in New York City. Our files reflect that Matusow on March 13, 1952, testified before the Senate Subcommittee on Internal Security, Washington, D.C., in a hearing concerning the Institute of Pacific Relations. Matusow said that while a Communist Party member he had worked in three Communist Party bookshops. He described the nature of these bookshops and when questioned concerning people coming in to buy books he stated "Yes, in my position in the bookshop I knew by sight probably 10,000 Party members in New York. I had seen them at various mass meetings or they knew me to be a Communist." A copy of this public hearing was furnished to Assistant Attorney General Charles B. Murray by memorandum dated September 23, 1952, captioned "Institute of Pacific Relations, Espionage - R." Our memorandum pointed out that this testimony contained testimony of Harvey M. Matusow.

This item also asks "Was there anything in Bishop Oxnam's public statements that should have alerted us?" Information concerning Bishop Oxnam's statement that Matusow had admitted that he had lied was furnished to the Department by memoranda dated July 6 and 20, 1954.

Item 1 (c) (v) states "Should there be closer liaison between INS and the FBI as to information as to witnesses and informants?" Under date of May 13, 1954, a letter was transmitted to the Attorney General concerning informants and witnesses used by INS. Attached was a 74-page memorandum furnishing brief sketches on each informant or witness being used by INS. It was pointed out that although many of the individuals used by INS appeared to be completely reliable, others such as Matthew Cvetic, [redacted] and Harvey Matusow have demonstrated their untrustworthiness and unreliability. It was stated in this memorandum that it was strongly felt that the FBI should not be called upon to vouch for the reliability of those individuals who are not under our control nor attempt to advise INS which informants or witnesses it should or should not use in connection with prosecution under its jurisdiction.

Item 4 in the Attorney General's memorandum pertains to Matthew Cvetic and [redacted] The Attorney General asks that the Bureau advise as to whether evidence from these two former informants was used in any employee security cases.

We have previously called the attention of the Department to derogatory information concerning these two individuals. Both Cvetic and [] were informants who subsequent to their discontinuance have engaged in activities which have been questionable. Both have attempted to capitalize on their former informant status and both have made statements which were exaggerated and designed to capture the public's imagination. Information supplied by these two individuals while they were informants, however, has been cross checked and much of it verified. There has not been any positive indication that either of these informants furnished information known to be unreliable while they were informants. On March 10, 1955, the Executives Conference took up the question of informants of this type and it was unanimously recommended that the Bureau not attempt to go back and re-evaluate the reliability of a former informant as to information furnished by him while he was an informant in the absence of a definite indication that the informant furnished unreliable information to the Bureau while he was an informant. Information furnished by Cvetic and [] has been widely disseminated and has been used in Security of Government Employees investigations.

By airtel dated March 26, 1955, and teletype dated March 29, 1955, Pittsburgh has advised that Cvetic was confined to the St. Francis Hospital, Pittsburgh, on two occasions in February and March, 1955, for a nervous condition. Pittsburgh has furnished information contained in a press release concerning Cvetic's hospitalization which release was apparently prepared by the Western Pennsylvania Committee for the Protection of Foreign Born. The press release states that petitions have been filed in two deportation cases in which Cvetic testified and further calls for the immediate reopening of all cases in which he has testified. This would include the Pittsburgh Smith Act trial as well as Subversive Activities Control Board cases concerning the Labor Youth League and the Civil Rights Congress. United States Attorney, Pittsburgh, requested the Bureau to check the hospital record regarding Cvetic and Pittsburgh is being instructed to check these records and advise the United States Attorney and the Bureau of the results. Information has also been received from Pittsburgh that Matthew Cvetic, on March 16, 1955, was arrested for drunken driving by the Brownsville, Pennsylvania, Police Department. Pittsburgh further advises that information has been received that the "Valley Journal," a newspaper published at Millvale, Pennsylvania, is in possession of "a file" concerning [] which apparently contains information expositing [] as a "perjurer." This file is to be used in the event [] sue the newspaper over a derogatory editorial, the paper printed concerning []

RECOMMENDATIONS:

(1) It is recommended that we advise the Attorney General that the FBI has already advised interested Government agencies in cases wherein Matusow has furnished information and has been concealed by a temporary symbol or characterized as to reliability.

✓

OK.

(2) It is recommended that we point out to the Attorney General that Matusow's statement concerning 10,000 Communists was furnished to the Department and that information concerning Bishop Oxnam's statement was also furnished to the Department.

✓

OK.

(3) It is recommended that we advise the Attorney General that we will be glad to furnish information in our possession to INS concerning informants and witnesses being used by that Agency.

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✓
OK.
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(4) Concerning Matthew Cvetic, it is to be noted that he was discontinued in January, 1950, in view of his repeated demands for more pay and the difficulty in controlling his activities. Since 1950 we have received repeated indications that he has been drinking and we warned the Department that he should not be used in the Pittsburgh Smith Act trial. Concerning [redacted] it is to be noted that [redacted] was discontinued effective [redacted] following his testimony in the Smith Act trial. We have had considerable trouble with [redacted] since that time and the Department has been kept fully advised. It is believed we should advise the Attorney General that both Cvetic and [redacted] have furnished information which has been used in employee security cases. The Attorney General should be further advised that information furnished by these two individuals while they were informants was cross-checked and much of it verified by other sources. The Attorney General should be further advised that there has been no positive indication that either Cvetic or [redacted] furnished unreliable information and that the difficulties we have encountered with them have primarily been confined to the period following their discontinuance as informants. The Attorney General should be advised of the additional information which has been received concerning the hospitalization of Matthew Cvetic and his arrest for drunken driving and other additional information received concerning [redacted] and the "file" being maintained concerning him by the "Valley Journal."

SPB
OK
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7-5

Ind
4-19-55

3-7-55

103-20 J. H. MURR TO DIRECTOR

On pages A1393-A1396, Congressman Walter, (D) Pennsylvania, extended his remarks to include a CBS Radio broadcast of February 27, 1955. Participants were Hon. Francis E. Walter, chairman, House Un-American Activities Committee, Hon. William F. Tompkins, Assistant Attorney General in charge of Internal Security Division, Department of Justice, moderator, Dwight Cooke, and producer, Nancy Neuschman. The question was "How effective are former Communists as witnesses?" In pointing out what the House Committee on Un-American Activities does in order to attempt to establish the credibility and honesty of the witness Congressman Walter stated, among other things, "Well, we obtain a report from the FBI, and its judgment as to whether or not a witness is responsible and trustworthy, reliable, and honest."

"WHAT ABOUT THIS? H."

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DATE 10-13-99 BY 60267NIS/EP/DD

901820

INITIALS ON ORIGINAL

100-418105- ✓

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126 APR 15 1955

APR 25 1955 *aw*

102
~~66 APR 19 1955~~

ORIGINAL FILED IN 100-418105-126

~~CONFIDENTIAL~~

Office Memorandum • UNITED STATES GOVERNMENT

TO : Messrs. Rogers, Hoover, Swing, Rankin,
Tompkins, Olney

FROM : Herbert Brownell, Jr.

SUBJECT: EX-COMMUNISTS AS WITNESSES

DATE: March 30, 1955

Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. Harbo	
Mr. Mohr	
Mr. Parsons	
Mr. Rosen	
Mr. Tamm	
Mr. Sizoo	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

DECLASSIFIED BY 60267 NIS/EP/DD
ON 10-13-99

901820

Will you please arrange to attend a conference in my office on the above matter on Tuesday, April 5, at two P.M.

In addition to the matters set forth in my memorandum on the above subject dated March 21, 1955 I would like to consider the following:

1. In addition to (or in substitution for) the proposed report of Messrs. Tompkins and Lombard on Matusow, would it be advisable to ask for a grand jury presentment in the Southern District of New York.

2. Discussion of witnesses and proposed witnesses before the SACB, as set forth in a memorandum from Mr. Tompkins to me, dated March 11, 1955, re "Witnesses Before The Subversive Activities Control Board". Mr. Rogers has commented on this memorandum in a separate memorandum to me dated March 28, 1955.

It will be entirely satisfactory to bring with you to the conference any of your assistants involved in the problems which we will discuss at the meeting.

RECORDED-99

24 APR 19 1955

~~CONFIDENTIAL~~

Necessary materials

should be ready
not later than
Friday noon

APR 25 1955 aw

MAY 30 1955

APR 20 1955

1 AutoStat copy made
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Office Memorandum • UNITED STATES GOVERNMENT

TO THE DIRECTOR

FROM MR. L. V. BOARDMAN

DATE: April 1, 1955

SUBJECT: EX-COMMUNISTS AS WITNESSES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-99 BY 60267 NIS/EP/DO
901820

Tolson _____
Boardman _____
Nichols _____
Belmont ☒
Harbo _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Sizoo _____
Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____

By memorandum dated March 30, 1955, the Attorney General requested you to arrange to attend a conference in his office at 2:00 P.M. on Tuesday, April 5, 1955, regarding the captioned matter as set forth in his memorandum to you dated March 21, 1955.

The Attorney General advised that in addition to the above matter, he would like to consider the following:

1. A Grand Jury presentment regarding Harvey Matusow.
2. The matter regarding witnesses before the Subversive Activities Control Board as set forth in Mr. Tompkins' memorandum to the Attorney General dated March 11, 1955, a copy of which has been previously furnished to the Bureau.

Each of the above matters has been treated on an individual basis and the results are set forth in the attached Brief for your utilization in connection with this conference with the Attorney General.

Enclosure

WCT:CFMc:de:ph
(7)

cc: Mr. Tolson
Mr. Boardman
Mr. Belmont
Mr. Baumgardner
Mr. Thornton
Mr. McInturff

RECORDED-99

100-418105-12

EX-124 24 APR 19 1955

66 APR 20 1955

5-WCT

1 AUTO ST-7T COPY MADE
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DIRECTOR, FBI (100-381185)

March 29, 1955

SAC, PITTSBURGH [redacted]

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b7D

EX Communication to a Witness
[redacted]
Former Security Informant

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-99 BY 60267 NIS/EP/BD
901820

On March 24, 1955, [redacted]

who specifically requested his identity been kept confidential, advised SA THOMAS G. FORSYTH that he is certain that [redacted]

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b7D

[redacted] " is wearing a firearm in a shoulder holster. He stated that [redacted]

[redacted] since shortly after World War II [redacted] said that sometime during the Summer of 1954 [redacted]

[redacted] recalled that he asked [redacted] why he was wearing a shoulder holster. He said [redacted] replied either that he was "working for the government" or "working for the FBI"; however, [redacted] could not remember which of the phrases [redacted] actually used.

[redacted] continued that he could not remember whether or not [redacted] was wearing a holster at that time and could not recall seeing any weapon. [redacted]

[redacted] said that in the latter part of December, 1954, [redacted]

[redacted] However, on this occasion, [redacted] was certain [redacted] was not wearing the holster [redacted] and no conversation was had concerning the reason for the loop.

The above is furnished the Bureau for information purposes.

REGISTERED MAIL

TGF/az
(3)

100-418105-✓
NOT RECORDED

63 APR 18 1955

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ORIGINAL FILED IN 100-381185-109

Office Memorandum • UNITED STATES GOVERNMENT

TO : The Director

FROM : Mr. E. V. Boardman

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-99 BY 60261NIS/EP/DD

901820

SUBJECT: EX-COMMUNISTS AS WITNESSES

Tolson ✓
Boardman ✓
Nichols ✓
Belmont ✓
Harbo ✓
Mohr ✓
Parsons ✓
Rosen ✓
Tamm ✓
 Sizoo ✓
Winterrowd ✓
Tele. Room ✓
Holloman ✓
Gandy ✓

Under date of 3/21/55 the Attorney General requested that if the FBI finds additional employees security cases in which evidence furnished by Matusow was used, the FBI should notify the Internal Security Division. Bureau letter dated 3/31/55 advised the Attorney General, Deputy Attorney General Rogers and Assistant Attorney General Tompkins that several additional employees security cases in which Matusow furnished information have been located since the Bureau's memorandum of March 2, 1955, in which 31 such cases were identified for the Department. The Department was advised that each government agency which has received reports on employees security cases containing information furnished by Matusow has been advised of the identity of the particular document containing Matusow's information as well as the temporary informant symbol given Matusow in those instances where his identity was concealed.

By letter dated April 4, 1955, Assistant Attorney General Tompkins requested the Bureau identify the several additional employees security cases in which Matusow furnished information which have been located since the Bureau's memorandum of March 2, 1955.

RECOMMENDATION:

There is attached for transmittal to Assistant Attorney General Tompkins a letter containing the identities of the four cases involved. It is to be noted that both the Department and interested government agencies have been advised of the identities of these cases, under individual case captions.

Attachment sent 4-5-55

GFMc:JRS:mjt
(6)

cc - Mr. Boardman
cc - Mr. Belmont
cc - Mr. Stanley
cc - Mr. Baumgardner
cc - Mr. McInturff

APR 25 1955 GAW

APR 20 1955

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RECORDED-99

21 APR 1955

EX-124

100-375988-
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Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, Federal Bureau of Investigation

DATE:

April 4 1955

FROM : *WFT* William F. Tompkins, Assistant Attorney General
Internal Security DivisionSUBJECT: *0* EX-COMMUNISTS AS WITNESSES

Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. Harbo	
Mr. Mohr	
Mr. Parsons	
Mr. Rosen	
Mr. Tamm	
Mr. Sizoo	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

Reference is made to your memorandum of March 31, 1955 in which you advise that each Government agency which has received reports on employee security cases containing information furnished by Harvey Matusow has been advised of the identity of the particular document containing Matusow's information as well as the temporary informant symbol given Matusow in those instances where his identity was concealed.

You also advised that several additional employee security cases in which Matusow furnished information have been located since your memorandum of March 2, 1955 and that the Department and pertinent Government agencies have been advised appropriately.

To efficiently carry out the responsibilities assigned to this Division by the Attorney General, it is desired that you identify the additional employee security cases which you state have been furnished to the Department and other agencies, that you list the specific reports in which Matusow furnished information as Matusow or under a temporary informant symbol number, and that you advise us of the names of the departments and agencies receiving copies of these reports.

It would be appreciated if this request were handled expeditiously.

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DATE 10-13-99 BY 60267 NIS/EP/DO
901820

RECORDED-99

EX-124

100-418105-14
27 APR 19 1955

*memo to Dir
let. to Tompkins
4/5/55
G. J. M.*

1-1

APR 1955

*5-5
Six-9*

UNRECORDED COPY FILED IN

cc - Mr. Boardman
cc - Mr. Belmont
cc - Mr. Stanley
cc - Mr. Baumgardner
cc - Mr. McInturff

Assistant Attorney General
William F. Tompkins

April 5, 1955

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-99 BY 60367NIS/EP/DD

Director, FBI

901820

EX-COMMUNISTS AS WITNESSES

Reference is made to your memorandum of
April 4, 1955.

For your information you have been advised
of the following additional cases reflecting the results
of contact with Harvey Matusow in employee security cases:

1) By memorandum dated March 30, 1955, captioned
[redacted] Atomic Energy Act -
Applicant, you were advised that this Bureau had furnished
to the Atomic Energy Commission a memorandum dated April 4,
1952, containing information emanating from Matusow.

2) By memorandum dated March 21, 1955, in the
case captioned [redacted] aka, [redacted]
Appointee, Signal Corps, Photographic Center,
Long Island City, New York, Department of the Army,
Loyalty of Government Employees, the Civil Service
Commission was advised that a report previously submitted
to the Commission reflects the results of contact with
Matusow. A copy of that memorandum was designated for you.

3) By memorandum dated March 21, 1955, captioned
[redacted] aka [redacted]
Post Office Department, New York, New York, Security
of Government Employees, the Civil Service Commission was
advised of a report containing information emanating from
Matusow. A copy of that memorandum was designated for you.

4) By memorandum dated April 4, 1955, captioned
[redacted] aka [redacted]
Production and Marketing Administration, Commodity Office,
Fiscal Division, Department of Agriculture, New York,
New York, Security of Government Employees, the
Civil Service Commission was advised of a report in that
case reflecting the results of an interview with Matusow.
A copy of that memorandum was designated for you.

Tolson _____
Boardman _____
Nichols _____
Belmont _____
Harbo _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
 Sizoo _____
Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____

Reference: Memo from Mr. Boardman to the Director
dated 4/5/55 captioned as above. GFMc:JRS:mjt

GFMc:JRS:mjt
COMM - FBI
APR 5 1955
MAILED 26

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APR 5 4 26 PM '55

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FBI

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The above-referred-to memoranda are self-explanatory with respect to the agencies which have been notified, the reports or communications containing Matusow's information, and the T symbol under which Matusow was concealed, if pertinent.

Office Memorandum • UNITED STATES GOVERNMENT

TO :

Mr. A. Rosen *Ram*DATE: April 18, 1955 *2/2*

FROM :

Mr. C. H. Stanley *OKS*

SUBJECT :

EX-COMMUNISTS AS WITNESSES
(MATTHEW CVETIC, [REDACTED])

Tolson	_____
Boardman	_____
Nichols	_____
Belmont	_____
Harbo	_____
Mohr	_____
Parsons	_____
Rosen	_____
Tamm	_____
Sizoo	_____
Winterrowd	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

Re Director's memorandum dated April 5, 1955, advising that a list of Employee Security Cases containing information from Matthew Cvetic, [REDACTED] and [REDACTED] should be furnished Assistant Attorney General Tompkins. Reference is also made to memorandum from Stanley to Mr. Rosen, April 6, 1955, noting that the list of such cases would be submitted to Mr. Tompkins upon receipt of information from Pittsburgh Office. (These three former informants were active in the Pittsburgh Division. In this connection, it is noted that the Executive Conference memorandum dated March 10, 1955, re "Confidential Informants" (66-6200-134-107) notes that there has been no question of Cvetic's reliability while a Bureau informant; it notes also that [REDACTED] was reliable as an informant).

Attached herewith is a memorandum to Assistant Attorney General Tompkins enclosing a list of fifty-nine cases in which investigation was conducted under Executive Order 9835, Loyalty of Government Employees (LGE) and Executive Order 10450, Security of Government Employees (SGE). In those cases in which the file reflects a disposition by the Security Board or agency, the same is noted in the list.

The attached list is based upon a review of all SGE and LGE cases in the Pittsburgh Office as noted in letters from that Office dated April 6, and April 9, 1955, and upon a check of Bureau indices against the names and informant symbols of Cvetic and the [REDACTED]

It is noted that in some instances, applicant-type reports may be considered under Executive Orders 9835 and 10450, when such reports contain disloyal data. The Pittsburgh Office

Enclosure *sent 4-20-55*

RECORDED-45

INDEXED-45

cc: (1) Mr. A. H. Belmont, Room 1742
 (1) Mr. L. B. Nichols, Room 5640
 (1) 100-372409
 (1) 100-381185

APR 25 1955

EX-113

JRS:ba/j mgl 1015
 APR 19 1955
 (12)

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has advised, however, that to identify any applicant-type reports (that is Special Inquiry, Departmental Applicant, Atomic Energy Act, etc.) containing information from Cvetic and [redacted] would involve a review of over 42,000 files in that Office. In view of this, and since Mr. Tompkins has requested only Employee Security Cases, a review of the 42,000 applicant files in the Pittsburgh Office is not believed warranted in this matter.

RECOMMENDATIONS:

(1) If you approve, Pittsburgh Office will not be instructed to review its applicant-type files for cases containing information from Cvetic and [redacted]

OK

(2) That, if you approve, the attached memorandum be transmitted to Assistant Attorney General Tompkins.

✓

OK JRM

2/3 JRM

✓

WHL

gpc

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. A. Rosen *Rev*

FROM : Mr. C. H. Stanley *CHS*

SUBJECT: EX-COMMUNISTS AS WITNESSES

DATE: April 7, 1955

Tolson ☒

Boardman ☒

Nichols ☒

Belmont ☒

Harbo ☒

Mohr ☒

Parsons ☒

Rosen ☒

Tamm ☒

Sizoo ☒

Winterrowd ☒

Tele. Room ☒

Holloman ☒

Gandy ☒

Reference is made to memorandum from Mr. Stanley to Mr. Rosen dated April 6, 1955, upon which the Director inquired: "Are we now cleared up on all Employee Security cases in which Matusow was used. H."

All Employee Security cases which have been identified as involving information furnished by Matusow have been called to the attention of the pertinent agencies and the Department. Corrective action has been taken in each case. The field has been instructed to advise the Bureau and all pertinent field offices in the event additional cases containing information from Matusow are located in the course of regular file reviews.

Should the field locate any additional cases containing Matusow's information, appropriate corrective action will be taken both in the field and at the Bureau, and the Department and pertinent Government agencies will be advised.

RECOMMENDATION:

None. For your information.

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HEREIN IS UNCLASSIFIED
DATE 10-13-99 BY 60267 NIS/EP/00
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JRS:rmb:bob
(5)

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EX-113

10 APR 25 1955

MAY 17 1955

MAY 2 1955

MAILED

D. J. Sullivan

6-9/55

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. A. Rosen

DATE: April 6, 1955

FROM : Mr. C. H. Stanley *CHS*

SUBJECT: EX-COMMUNISTS AS WITNESSES

Tolson	
Boardman	
Nichols	
Belmont	
Harbo	
Mohr	
Parsons	
Rosen	
Tamm	
Sizoo	
Winterrowd	
Tele. Room	
Holloman	
Gandy	

Re Director's memorandum dated April 5, 1955, concerning conference in Attorney General's Office on same date concerning "ex-Communists as witnesses." The memorandum notes following items of interest to the Investigative Division (Domestic Intelligence Division handling other phases of Director's memorandum):

(1) Director noted that Assistant Attorney General Tompkins understood that there are some Employee Security Cases containing information emanating from Harvey Matusow, in addition to the 31 cases of which Department was advised by memorandum March 2, 1955. The Director stated he would like to know when we are forwarding this second batch of cases to Mr. Tompkins, and that he would like to have it done at the earliest possible moment.

COMMENT: Subsequent to March 2, 1955, when we advised the Department of the 31 cases containing information from Matusow, 4 additional cases were located. The appropriate agencies and the Department were advised of these cases as they were located. In this connection, attached are ticklers of a memorandum from Mr. Boardman to the Director dated April 5, 1955 and of a memorandum to Mr. Tompkins (same date). In the latter Mr. Tompkins was advised of the specific memoranda by which he had previously been advised of the 4 additional cases. This appears to be the matter to which Tompkins referred.

ACTION: In the event additional cases of this type are located, the Department and the appropriate Government agency will be advised.

(2) With reference to the number of Employee Security Cases in which [redacted] and Matthew Cvetic had been used, and also that the Bureau would promptly furnish Mr. Tompkins the list of these cases together with any pertinent information, the following is noted:

Attachment *handled separately* RECORDED-45

(1) Mr. A. H. Belmont, Room 1742
 (2) Mr. L. B. Nichols, Room 5640

JRS:baj

(10)

MAY 3 1955

APR 26 1955

INDEXED

Handwritten: 100-418105-17
Handwritten: [initials]
Handwritten: [initials]

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ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 10-13-99 BY 60367 NIS/EP/00

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Handwritten: [unclear]

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The Domestic Intelligence Division on April 5, 1955, obtained the approximated figures concerning Cvetic's use from the Pittsburgh Office telephonically. The approximated figures with respect to the use of [] were obtained from [] file at the Bureau.

The Pittsburgh Office was also instructed on April 5, 1955, to immediately furnish the Bureau the complete list of such cases in which Cvetic had been used.

ACTION: Upon receipt of the list of the Cvetic cases from Pittsburgh Bureau files will immediately be reviewed and Mr. Tompkins will then be furnished the list of the Cvetic and [] cases.

RJM
gm
JB
Exp. ltr.
H.
V

gls

~~CONFIDENTIAL~~

cc Boardman
Belmont
McInturff

THE ATTORNEY GENERAL

April 19, 1955

Director, FBI 100-48105

EX-COMMUNISTS AS WITNESSES

DECLASSIFIED BY 60267 NIS/EP/DD
ON 10-13-99

901820

Reference is made to my memorandum of April 12, 1955, which furnished to you information concerning Matthew Cvetic, a former confidential informant of this Bureau who has been used as a witness in trials and hearings arising out of alleged subversive activity.

For your information, the Pittsburgh "Sun Telegraph" issue of April 6, 1955, in a column entitled "On The Town" reported that Cvetic was at that time in Mercy Hospital as a result of a broken right shoulder suffered in a fall in the William Penn Hotel. The column went on to report that Cvetic's shoulder was in a cast and that Cvetic expects to be out of the hospital in a week or so.

For your additional information, a personal acquaintance of Pittsburgh Attorney Hymen Schlesinger has advised an Agent of this Bureau that he was asked by Schlesinger and Steve Nelson, a convicted Smith Act subject who is presently out on bond pending appeal, to conduct a physical surveillance of Cvetic beginning at the time Cvetic is released from Mercy Hospital. Schlesinger, who acted as a defense attorney in the Pittsburgh Smith Act trial, requested this acquaintance to record all of Cvetic's movements and contacts.

The above is being furnished to you for your information. Any further data concerning this surveillance of Matthew Cvetic will be promptly furnished to you.

COMM - FBI

APR 20 1955

MAILED 31

Tolson _____
Boardman _____
Nichols _____
Belmont _____
Harbo _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Sizoo _____
Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____

1 cc Mr. William P. Rogers
Deputy Attorney General

1 cc Assistant Attorney General
William F. Tompkins

1 cc Assistant Attorney General
Warren Olney

1 cc Commissioner
Immigration and Naturalization Service

GFM:pat

10

~~CONFIDENTIAL~~

59 APR 25 1955

ORIGINAL FILED IN 100-372409

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Mr. Tolson _____
Mr. Boardman _____
Mr. Nichols _____
Mr. Belmont _____
Mr. Harbo _____
Mr. Mohr _____
Mr. Parsons _____
Mr. Rosen _____
Mr. Tamm _____
Mr. Sizoo _____
Mr. Winterrowd _____
Tele. Room _____
Mr. Holloman _____
Miss Gandy _____

Transmit the following Teletype message to:

AIR TEL

FBI, PITTSBURGH (67-2584)

4/12/55

4PM

TO: DIRECTOR, FBI

MATTHEW CVETIC, FORMER PITTSBURGH SECURITY INFORMANT

REMYAISTEL, 4/7/55. ON 4/11/55

A BAUMGARDNER

PERSONAL ACQUAINTANCE OF PITTSBURGH ATTORNEY HYMEN

[REDACTED] VOLUNTARILY ADVISED SA DAVID W. EGBERT THAT HE WAS ASKED BY SCHLESINGER AND STEVE NELSON, CHAIRMAN OF DISTRICT 5 CP, TO CONDUCT A PHYSICAL SURVEILLANCE OF MATTHEW CVETIC BEGINNING AT THE TIME CVETIC IS RELEASED FROM MERCY HOSPITAL, AND THAT HE IS TO RECORD ALL OF CVETIC'S MOVEMENTS AND CONTACTS. [REDACTED] VOLUNTEERED TO FURNISH THIS OFFICE WITH ANY FUTURE DEVELOPMENTS CONCERNING THIS PROPOSED SURVEILLANCE OF CVETIC. [REDACTED] HAS ADVISED THAT HE PREVIOUSLY HAS BEEN CONNECTED WITH THE NUMBERS RACKETS IN PITTSBURGH. FOR THIS REASON, NO EFFORTS ARE BEING MADE TO DEVELOP HIM AS AN INFORMANT OR SOURCE OF INFORMATION OF ANY KIND, AND NO ATTEMPT IS BEING MADE TO DIRECT HIS ACTIVITIES; HOWEVER, THIS OFFICE WILL CONTINUE TO ACCEPT ANY INFORMATION FURNISHED BY [REDACTED] LETTER FOLLOWS.

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END

DWE/ (5)

Mr. Belmont

Approved: Bureau file 100-372409

Special Agent in Charge

Sent

10 APR 14 1955

BAUMGARDNER

L R I

INT. SEC.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. L. V. Boardman

DATE: April 13, 1955

FROM : Mr. A. H. Belmont

SUBJECT: REVIEW OF TESTIMONY OF WARREN OLNEY III
AND WILLIAM F. TOMPKINS, DEPARTMENT OFFICIALS,
BEFORE COMMITTEE ON APPROPRIATIONS - 1956

Tolson _____
Boardman _____
Nichols _____
Belmont _____
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Parsons _____
Rosen _____
Tamm _____
 Sizoo _____
Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____

This memorandum is based on the Director's instructions that a prompt review be made of the testimony of Warren Olney and William F. Tompkins, Department officials, before the House Appropriations Committee to be sure that no inaccurate statements were made regarding the FBI. The testimony of Olney and Tompkins contained in the report of hearings before the Subcommittee of the House Committee on Appropriations as it relates to the Domestic Intelligence Division has been reviewed and there do not appear to be any inaccurate statements with reference to matters handled by this Division.

Pages 101 and 102 of the report reflect the testimony concerning the Department's decision not to prosecute [redacted] for perjury and the reasons therefor. [redacted] in 1953 testified for the so-called Jenner Committee concerning alleged espionage in a General Motors Corporation plant at Cleveland, Ohio, in 1943 to 1945. Thereafter, when he was interviewed by the FBI, he admitted that his testimony before the committee was fabricated in certain respects. A review of this testimony reflects no inaccuracy so far as our work is concerned and deals entirely with the Department's reasons for not prosecuting him.

In the preliminary remarks of Tompkins before the Committee reflected on pages 281 and 282 of the report, he discusses the work of the newly created Internal Security Division of the Department and points out that it carries on in matters relating to subversive activities and the internal security where the investigative activities of the FBI cease. It is stated that the work load of that division is, therefore, in proportion to the activity of the FBI in the internal security field. On pages 283 - 291 of the report there is reflected

ALL INFORMATION CONTAINED
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cc - L. V. Boardman

A. H. Belmont

F. J. Baumgardner

DATE 10-13-99 BY 60261 NIS/EP/10

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Tompkins' testimony and questioning by the Committee regarding Smith Act indictments and prosecutions. No inaccuracies regarding us or our work are contained therein.

Tompkins is questioned on pages 291 and 292 concerning the Department's plan for further action in the Judy Coplon case and Tompkins advises it is still under study by the Department.

On page 293 of the report, Tompkins discusses the policy of the Department in the selection of witnesses in Smith Act prosecutions and makes the statement that these witnesses are selected by the Department through a thorough digest of many, many FBI reports that come in. The witnesses are thereafter interviewed and material in the reports must be collated with their recollection and if there is any doubt concerning the reliability of the witness he is not used. Tompkins, on page 309 of the report, goes on to say that you have to use the best witnesses available and if the Department is going to be required to produce witnesses of absolutely impeccable and unassailable character it is going to have a terrific impact on our prosecutions.

Testimony of the Departmental officials concerning Harvey Matusow appears on pages 13, 59, 253, 293 and 307 of the report. There does not appear to be any inaccurate statements made concerning the FBI. Briefly, Department officials, including the Attorney General, Olney, Tompkins and General Swing, of the Immigration and Naturalization Service (INS), furnished information to the Committee concerning cases in which Matusow testified, how much Matusow was paid by the Department, efforts of INS to develop Matusow as an informant, the psychoneurotic background of Matusow as it applied to his use as a witness and the effects the Matusow case has had on testimony of other individuals. On pages 293 and 294 for instance, Tompkins is asked if he had occasion to go into Matusow's neurological record last June when they were considering using him as a witness in the Jencks case in Texas and Tompkins testified that he did not think the Department had this record at that time. He testified that since the Matusow controversy started a copy of the letter which was sent by the New York Office of the Bureau to former United States Attorney Myles Lane in January, 1952, had been found in the files of the United States Attorney's office in New York. This letter included information concerning the fact that Matusow had been diagnosed as suffering from a mild but acute form of psychoneurosis. Tompkins

|| was asked when he received the copy of it from the Bureau and he stated he received it under date of February 23, 1955. Tompkins goes on to say that although Matusow had been diagnosed as having a psychoneurosis of a mild but acute form Tompkins still would have used Matusow as a witness in spite of this background.

On page 295 it is reflected that Tompkins stated approximately 200 potential treason cases arising out of the activities of prisoners of war in the Korean conflict have been referred to the Department of Justice. This was substantially correct as of the date his testimony was given.

ACTION:

This is furnished for your information.

V.

V.

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WHS

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WHS

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

DATE: April 5, 1955

FROM : MR. L. V. BOARDMAN *LB*SUBJECT: *esa* ~~EX-COMMUNISTS AS WITNESSES~~

Tolson ☒
 Boardman ☒
 Nichols ☒
 Belmont ☒
 Harbo ☒
 Mohr ☒
 Parsons ☒
 Rosen ☒
 Tamm ☒
 Sizoo ☒
 Winterrowd ☒
 Tele. Room ☒
 Holloman ☒
 Gandy ☒

Reference is made to my memorandum dated April 1, 1955, relative to the Attorney General's request as set forth in his memorandum dated March 30, 1955, that you arrange to attend a conference in his office at 2:00 p.m., on Tuesday, April 5, 1955, regarding the captioned matter. A brief for your utilization in connection with this conference was attached to my memorandum of April 1, 1955.

For your further information, it has now been learned from Departmental Attorney Troy B. Connor in a discussion relative to other matters that among other things, the above-mentioned conference would possibly include a discussion of five individuals who have been utilized as witnesses before the Subversive Activities Control Board.

Summaries on these five individuals have been included in the attachment to the above-mentioned brief as set forth on the pages indicated. While a decision as to whether or not these individuals should be utilized again as Government witnesses is one which the Department must ultimately decide, there are set forth below the following observations concerning these witnesses for your possible utilization at your conference with the Attorney General today:

(1) [redacted] (page 34) - [redacted] was a paid informant of the Bureau for our Cleveland Office from February, 1944, to May, 1949. He appeared as a Government witness in the first and second Smith Act trials in New York, the recent Smith Act trial of Claude Lightfoot in Chicago and before the Subversive Activities Control Board in hearings regarding the Communist Party, USA. He is also a contemplated witness in the forthcoming Cleveland Smith Act trial. It is noted that during the Lamb case before the Federal Communications Commission, during which [redacted] served in an advisory capacity for the Commission, [redacted] accused [redacted] of being one of those individuals responsible for [redacted] false testimony.

In view of the above allegation against Cummings it is believed that his further utilization as a witness would be detrimental to the Government's interest. *100-418105-1*

1 - Mr. Boardman

1 - Mr. Baumgardner

1 - Mr. Belmont

1 - Mr. Thornton

APR 13 1955

APR 15 1955

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(2) [] (page 39). [] has never been an informant for the Bureau although he has voluntarily furnished considerable information concerning Communist activities [] since his expulsion from the Communist Party in []. He testified before the Subversive Activities Control Board in the National Council of American - Soviet Friendship case on May 23, 1954, during which testimony he identified [] as a "secret" Communist in the past. As a result of this testimony [] instituted a \$150,000 libel action against [] This matter has not as yet been adjudicated.

In view of the pending libel action against [] based upon his testimony, it would appear that he should not be used again as a witness for the Government until this action has been completed upon which a determination could be made as to whether or not he should be used as a Government witness in the future.

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(3) [] (page 61). [] was a paid informant for the Bureau from [] to []. She was utilized as a Government witness in the Jefferson School of Social Science case before the Subversive Activities Control Board. She was also being considered as a Government witness in the recent perjury case regarding Louis Weinstock. She proved to be a very temperamental person during her preparation for testimony in this latter case and the Departmental Attorneys who have interviewed her have concluded that she has become unstable and a neurotic individual whose testimony would have to be limited to facts susceptible to complete corroboration.

In view of the present unstable attitude of [] it is not believed that she should be used any further as a Government witness.

(4) [] (page 62) [] has never been a confidential informant for the Bureau. He has been interviewed on various occasions, however, regarding Communist matters after he voluntarily offered assistance to our Chicago Office in October, 1948. He appeared as a

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Government witness before the Subversive Activities Control Board on May 20 and 21, 1954, in the proceeding against the National Council of American - Soviet Friendship. In September, 1954, [] made false allegations against Agents of our Chicago Office to a representative of a private security check agency in Chicago, as a result of which our Chicago Office was instructed to have no further contacts with []. The Department was also advised that due to the obvious insincerity and unreliability of [] no further contacts with him are being had by Bureau representatives.

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In view of [] obvious insincerity and unreliability, it is not believed that he should again be used as a witness for the Government.

(5) [] (page 80). [] has never been a Bureau informant although he has voluntarily furnished information to our New York Office on several occasions since November 3, 1950. He was utilized as a Government witness before the Subversive Activities Control Board regarding the Jefferson School of Social Science case. He also testified before the same board in the hearing relative to the Veterans of the Abraham Lincoln Brigade. Although our files contain no information relative to the emotional stability of this individual, it is noted that Departmental Attorneys who have interviewed him have stated that since the afore-mentioned testimony [] had become associated with a New York State legislative committee investigating a phase of Communist activities and now appears unstable and fails to distinguish between information he personally obtained as a Party member and that which has come to his attention through his association with this committee.

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In view of the above analysis of this informant by the Department, it is believed that [] should not be used again as a Government witness.

RECOMMENDATION:

None. For your information.

cc: Mr. Boardman Mr. Nichols Mr. Stanley
Mr. Rosen Mr. Malley Mr. Sutthoff
Mr. Belmont Mr. Callan

Assistant Attorney General
William F. Tompkins

April 18, 1955

Director, FBI

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EX-COMMUNISTS AS WITNESSES
(MATTHEW CVETIC, [REDACTED])
[REDACTED]

In the attached list of cases involving investi-
gations conducted under Executive Orders 9835 and 10450,
the reports contain information emanating from either
Matthew Cvetic, [REDACTED] or [REDACTED]
former confidential informants of this Bureau.

The attached list identifies the cases and specific
reports involved and, where pertinent, notes the temporary
informant symbols by which these three individuals were
designated in the reports, as well as dissemination of the
reports by this Bureau.

In connection with this matter, your attention is
invited to this Bureau's memorandum to the Attorney General
captioned "Ex-Communists As Witnesses," dated March 31, 1955.
It is noted that that memorandum contains information relative
to the reliability of Matthew Cvetic and [REDACTED]

Enclosures (2)

cc: (1) 100-372409
(1) 100-381185

JRS:baj
(13)

COMM - FBI

APR 20 1955

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Cover Memo from Stanley to Mr. Rosen, 4/18/55, same caption JRS:

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EX-112

APR 25 1955

66 MAY 27

RECEIVED DEPT. OF JUSTICE
APR 25 1955
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CASES CONTAINING INFORMATION EMANATING FROM:
MATTHEW CVETIC: [REDACTED] AND [REDACTED]
[REDACTED]

Limited Classification
Review Conducted
300 Top Secret
Form 4-77

1. [REDACTED] aka [REDACTED]
[REDACTED] New York District, Immigration and Naturalization Service, Department of Justice, New York, New York, Security of Government Employees, (Bureau file 121-17179). Reports in this case were furnished to the Department and to the Civil Service Commission by memoranda dated June 24, 1949, and August 10, 1954.

The report of Special Agent Merle E. Nelson, dated August 5, 1954, at Washington, D. C., contains information furnished by Matthew Cvetic, whose identity is set out openly in the report.

By memorandum dated March 19, 1953, the Civil Service Commission advised that [REDACTED] was "eligible on loyalty"; by memorandum dated November 29, 1954, the Civil Service Commission advised that [REDACTED] "resigned or otherwise separated from Federal service prior to decision on investigative report - subject resigned August 13, 1954."

2. [REDACTED] nee [REDACTED]
aka [REDACTED]
Veterans Administration Hospital, Veterans Administration, Durham, North Carolina, Security of Government Employees, (Bureau file 140-6205). Reports in this case were disseminated to the Department and the Civil Service Commission by memoranda dated December 8, 1954.

The report of Special Agent Dean M. Howen, dated November 3, 1954, at Pittsburgh, Pennsylvania, contains information emanating from [REDACTED] who is identified in the report as Pittsburgh T-1.

3. [REDACTED] aka [REDACTED]
Internal Revenue Service, Treasury Department, Pittsburgh, Pennsylvania, Security of Government Employees, (Bureau file 140-3549). Reports in this case were furnished to the Department and the Civil Service Commission by memoranda dated May 17, 1954.

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Tamm _____
 Sizoo _____
Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____

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Cover Memo from Stanley to Mr. Rosen, 4/18/55, same caption JRS:baj

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The report of Special Agent Dean M. Howen, dated May 3, 1954, at Pittsburgh, Pennsylvania, contains information emanating from Matthew Cvetic whose identity is set out openly in the report. The report also contains information from [redacted] who is identified in the report as Pittsburgh T-2.

4. [redacted]
[redacted] Post Office Department, Pittsburgh, Pennsylvania, Security of Government Employees, (Bureau file 140-2542). Reports in this case were furnished to the Department and the Civil Service Commission by memoranda dated February 24, 1954.

The report of Special Agent Dean M. Howen, dated February 15, 1954, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic, who is identified by name in the report.

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By memorandum dated August 13, 1954, the Civil Service Commission advised that [redacted] "resigned or otherwise separated from Federal service prior to decision on investigative report - employee terminated for misconduct."

5. [redacted] aka [redacted]
[redacted] Department of State, [redacted] Security of Government Employees, (Bureau file 140-7134). Reports in this case were furnished to the Department and the Civil Service Commission by memoranda dated March 29, 1955.

The report of Special Agent Joseph J. O'Neill, dated February 18, 1955, at Pittsburgh, Pennsylvania, contains information from Matthew Cvetic who is identified by name in the report.

6. [redacted] Veterans Administration Center, Veterans Administration, Los Angeles, California, Security of Government Employees, (Bureau file 121-26727). Reports in this case were furnished to the Department and the Civil Service Commission by memoranda dated April 23, 1954.

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The report of Special Agent Paul J. Dorman, dated April 15, 1954, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic who is openly identified in the report. The report also contains information from [redacted] who is identified in the report as Pittsburgh T-4.

7. [redacted] aka [redacted]
National Labor Relations Board, Pittsburgh, Pennsylvania,
Security of Government Employees, (Bureau file 140-189).
Reports in this case were furnished to the Department and
the Civil Service Commission by memoranda dated October 2,
1953, and March 3, 1954.

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The reports of Special Agent Milton K. Adams and
Special Agent Joseph J. O'Neill, dated August 6, 1953, and
February 19, 1954, respectively, at Pittsburgh, Pennsylvania,
contain information furnished by Matthew Cvetic who is identified
by name in the reports.

8. [redacted] aka [redacted]
nee [redacted] Headquarters,
U. S. Army Caribbean, Department of the Army, Fort Amador,
Canal Zone, Loyalty of Government Employees, (Bureau file
121-33056). Reports in this case were furnished to the
Department, the Civil Service Commission, and G-2, Department
of the Army, by memoranda dated December 29, 1951.

The report of Special Agent Dean M. Howen, dated
November 27, 1951, at Pittsburgh, Pennsylvania, contains
information furnished by Matthew Cvetic who is identified
by name in the report. The report also contains information
from [redacted] designated as Pittsburgh T-14, and
[redacted] designated as Pittsburgh T-15.

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By memorandum dated May 2, 1952, the Civil Service
Commission advised that [redacted] "resigned or otherwise
separated from Federal service prior to decision on loyalty."

9. [redacted] aka [redacted]
[redacted] Veterans Administration Hospital, Veterans
Administration, Aspinwall, Pennsylvania, Security of Government
Employees, (Bureau file 140-6408). Reports in this case were
furnished to the Department and the Civil Service Commission
by memoranda dated January 6, 1955.

The report of Special Agent Joseph J. O'Neill,
dated December 15, 1954, at Pittsburgh, Pennsylvania, contains
information furnished by [redacted] who is identified in the
report as Pittsburgh T-3.

10. [redacted] nee [redacted] aka [redacted]

[redacted] United States Naval Base, Department of the Navy, Norfolk, Virginia, Security of Government Employees, (Bureau file 140-6062). Reports in this case were furnished to the Department and the Civil Service Commission by memoranda dated November 30, 1954, and December 29, 1954.

The report of Special Agent Joseph J. O'Neill, dated November 16, 1954, at Pittsburgh, Pennsylvania, contains information furnished by [redacted] who is identified in the report as Pittsburgh T-5.

11. [redacted] aka [redacted]

[redacted] Veterans Administration Hospital, Veterans Administration, Montrose, New York, Security of Government Employees, (Bureau file 140-7012). Reports in this case were furnished to the Department and to the Civil Service Commission by memoranda dated March 16, 1955.

The report of Special Agent Dean M. Howen, dated January 10, 1955, contains information furnished by [redacted] and [redacted] who are identified by name in the report.

12. [redacted] National

Labor Relations Board, Pittsburgh, Pennsylvania, Security of Government Employees, (Bureau file 140-2710). Reports in this case were furnished to the Department and the Civil Service Commission by memoranda dated March 24, 1954, April 5, 1954, and June 1, 1954.

The report of Special Agent Dean M. Howen, dated March 8, 1954, at Pittsburgh, Pennsylvania, contains information furnished by [redacted] who is identified therein as Pittsburgh T-1.

By memorandum dated December 6, 1954, the Civil Service Commission advised that [redacted] was "retained."

13. [redacted] aka [redacted]
[redacted] Veterans Administration Hospital, Veterans Administration, Pittsburgh, Pennsylvania, Security of Government Employees, (Bureau file 140-7284). Reports in this case were furnished to the Department and the Civil Service Commission by memoranda dated March 9, 1955.

The report of Special Agent Dean M. Howen, dated January 24, 1955, at Pittsburgh, Pennsylvania, contains information furnished by [redacted] who is identified therein as Pittsburgh T-7, and [redacted] who is identified therein as Pittsburgh T-13.

14. [redacted] aka [redacted]
[redacted] Lewis Flight Propulsion Laboratory, National Advisory Committee for Aeronautics, Cleveland, Ohio, Security of Government Employees, (Bureau file 140-7206). Reports in this case were furnished to the Department and the Civil Service Commission by memoranda dated March 29, 1955.

The report of Special Agent Joseph J. O'Neill, dated March 15, 1955, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic, whose identity is set out openly in the report.

15. EDWARD UHLER CONDON, Director, National Bureau of Standards, U. S. Department of Commerce, Washington, D. C., Loyalty of Government Employees, (Bureau file 121-2673). Reports in this case were furnished to the Department (Department file 146-200-10) by memoranda dated June 23, 1948, September 8, 1948, December 5, 1950, and April 30, 1951. By memorandum dated August 20, 1951, the Department was advised of the dates of all dissemination to the Department in this case, together with the captions of the memoranda by which the reports were furnished to the Department.

The reports were also furnished to the Civil Service Commission by memorandum dated June 11, 1948, and subsequent memoranda; the Atomic Energy Commission was furnished copies of these reports by memorandum dated June 23, 1948; and the Office of Naval Intelligence was furnished copies of these reports on May 21, 1952.

The report of Special Agent C. Leonard Treviranus, dated December 1, 1950, at Pittsburgh, Pennsylvania, contains information from Matthew Cvetic, whose identity is set out openly in the report. The same report contains information from [redacted] designated as Pittsburgh T-2, and [redacted] designated as Pittsburgh T-3.

The report of Special Agent William H. Burke, dated November 16, 1950, at New York, New York, contains information from Matthew Cvetic who is openly identified in the report.

It is noted that on August 11, 1951, Washington newspapers carried articles reflecting that Dr. Condon had resigned his position as Director of the National Bureau of Standards to take a position in private industry.

16. [redacted] aka [redacted]
[redacted] Applicant, Bureau of Mines, Department of the Interior, Pittsburgh, Pennsylvania, Loyalty of Government Employees, (Bureau file 121-1455). Reports in this case were furnished to the Department by memorandum dated December 7, 1948. (Department file 146-200-1499). Reports in this case were also furnished to the Civil Service Commission by memorandum dated April 22, 1948, and to the Office of Naval Intelligence by memorandum dated July 9, 1953.

In the report of Special Agent Robert D. McVey, dated April 10, 1948, at Pittsburgh, Pennsylvania, [redacted] is identified as Confidential Informant Pittsburgh T-2. Matthew Cvetic is referred to in the same report under the designation Pittsburgh T-6. By memorandum dated October 29, 1948, the Civil Service Commission advised that [redacted] was retained.

By memorandum dated February 10, 1954, the Civil Service Commission advised that [redacted] was terminated from the Bureau of Mines on May 2, 1952, and is not being considered for re-employment. EO 9835 only."

17. [redacted]
[redacted] Appointee, Postal Transportation Service, Post Office Department, Pittsburgh, Pennsylvania, Loyalty of Government Employees, (Bureau file 121-33344). Reports in this case were furnished to the Department and to the Civil Service Commission by memoranda dated November 17, 1951.

The report of Special Agent Dean M. Howen, dated October 26, 1951, at Pittsburgh, Pennsylvania, contains information furnished by [redacted] who is identified in the report as Pittsburgh T-1.

By memorandum dated May 2, 1952, the Civil Service Commission advised that [redacted] had "resigned or otherwise separated from Federal service prior to decision on loyalty." Under date of January 15, 1953, this Bureau received a loyalty form on [redacted] reflecting that he had been reappointed on September 22, 1952. By memorandum dated February 25, 1955, the Civil Service Commission advised: "Agency final action - removed or not appointed as a result of suitability determination. 12/24/53."

18. [redacted] aka [redacted]
[redacted] - Applicant, United States Civil Service Commission, Washington, D. C., Loyalty of Government Employees, (Bureau file 121-34071). Reports in this case were furnished to the Department and the Civil Service Commission by memoranda dated February 8, 1952.

In the report of Special Agent John P. Mull, Jr., dated December 17, 1951, at Pittsburgh, Pennsylvania, reference is made to [redacted] under the informant designation Pittsburgh T-3; in the same report [redacted] is designated as Pittsburgh T-6.

By memorandum dated October 17, 1952, the Civil Service Commission advised that [redacted] was "ineligible and denied employment on loyalty."

19. [redacted]
Appointee, Housing and Home Finance Agency, Office of the Administrator, Washington, D. C., Loyalty of Government Employees, (Bureau file 121-24361). Reports in this case were disseminated to the Department and the Civil Service Commission by memoranda dated January 10, 1951.

The report of Special Agent Charles C. Bridwell, dated November 10, 1950, at Pittsburgh, Pennsylvania, contains information from [redacted] who is identified in the report as Pittsburgh T-3.

The Civil Service Commission advised by memorandum dated February 8, 1954, that "subject deceased 10/12/53."

20. [redacted] aka [redacted]
[redacted] Veterans Administration Hospital, Veterans Administration, Aspinwall, Pennsylvania, Loyalty of Government Employees, (Bureau file 121-6046). Reports in this case were furnished to the Civil Service Commission by memorandum dated September 13, 1948. Copies of these reports will be furnished to the Department by separate memorandum.

In the report of Special Agent Lawrence E. Thompson, dated September 2, 1948, at Pittsburgh, Pennsylvania, there is set forth information from [redacted] who is identified in the report as Pittsburgh T-4. The report also contains information from Matthew Cvetic who is identified therein as Pittsburgh T-5.

By memorandum dated February 18, 1949, the Civil Service Commission advised that the employee was "retained"; by memorandum dated May 22, 1953, the Civil Service Commission advised that the employee was "eligible on loyalty."

21. [redacted]

United States Post Office Department, Pittsburgh, Pennsylvania, Loyalty of Government Employees, (Bureau file 121-19107). Reports in this case were disseminated to the Department and to the Civil Service Commission by memoranda dated October 5, 1949, (Department file 146-200-4713). The reports were furnished to G-2 by memorandum dated October 12, 1949.

The report of Special Agent C. Leonard Treviranus, dated September 23, 1949, at Pittsburgh, Pennsylvania, contains information from [redacted] who is identified therein as Pittsburgh T-1 and from Matthew Cvetic, identified therein as Pittsburgh T-2.

By memorandum dated January 30, 1950, the Civil Service Commission advised that [redacted] was "eligible on loyalty"; by memorandum dated December 8, 1954, the Civil Service Commission advised that [redacted] was "separated - October 11, 1954, (Disability Retirement) prior to decision on investigative reports."

22.

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[redacted] Appointee, Inland Waterways Corporation, St. Louis, Missouri, Loyalty of Government Employees, (Bureau file 121-14875). Reports of the partial investigation in this case were furnished to the Department by memorandum dated February 17, 1949. No dissemination to the Civil Service Commission since [redacted] resigned and the investigation was discontinued.

The report of Special Agent Richard Boyd Smith, dated January 29, 1949, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic, who is identified therein as Pittsburgh T-9. The report reflects also that [redacted] identified as Pittsburgh T-15 and [redacted] identified as Pittsburgh T-16, were contacted during the investigation.

23.

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[redacted] U. S. Post Office Department, Pittsburgh, Pennsylvania, Loyalty of Government Employees, (Bureau file 121-21829). Reports in this case were furnished to the Department and to the Civil Service Commission by memoranda dated March 22, 1950. The reports were also furnished to the Immigration and Naturalization Service, Pittsburgh, Pennsylvania, on January 27, 1954.

In the report of Special Agent C. Leonard Treviranus, dated March 15, 1950, at Pittsburgh, Pennsylvania, there is set forth information emanating from [redacted] who is identified as Pittsburgh T-1 and from [redacted] who is identified as Pittsburgh T-10.

By memorandum dated December 19, 1951, the Civil Service Commission advised that [redacted] was "eligible on loyalty." By memorandum dated July 15, 1954, the Civil Service Commission advised that [redacted] was "separated because of unfavorable report on May 10, 1954."

24. [redacted]
Appointee, U. S. Air Force Warehouse, Department of the Air Force, McKees Rocks, Pennsylvania, Loyalty of Government Employees, (Bureau file 121-40452). Reports in this case were furnished to the Department and to the Civil Service Commission by memoranda dated October 30, 1952.

The report of Special Agent C. Leonard Treviranus, dated October 9, 1952, at Pittsburgh, Pennsylvania, contains information furnished by [redacted] who is identified therein as Pittsburgh T-6. This report also contains information from Matthew Cvetic, who is openly identified in the report. The information from Cvetic is information furnished by him in testimony before the House Committee on Un-American Activities.

It is noted that by memorandum dated December 11, 1953, the Civil Service Commission advised that [redacted] "resigned July 10, 1953." By memorandum dated November 22, 1954, the Civil Service Commission advised that [redacted] was "separated because of unfavorable report" from his position with the Pennsylvania Military District, Department of the Army, at Indiantown Gap, Pennsylvania.

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25. [redacted]
[redacted] 3800th University Wing, Department of the Air Force, Maxwell Air Force Base, Montgomery, Alabama, Loyalty of Government Employees, (Bureau file 121-34522). Reports in this case were furnished to the Department and to the Civil Service Commission by memoranda dated January 23, 1952.

The report of Special Agent John P. Mull, Jr., dated December 20, 1951, at Pittsburgh, Pennsylvania, contains reference to [redacted] as Pittsburgh T-2, to Matthew Cvetic as Pittsburgh T-3 and to [redacted] as Pittsburgh T-6.

By memorandum dated June 19, 1952, the Civil Service Commission advised that [redacted] was "eligible on loyalty." By memorandum dated February 26, 1954, the Civil Service Commission advised that [redacted] was "separated because of unfavorable report - subject resigned 19 August, '53, upon receipt of letter directing his removal under authority of PL 733."

26. [redacted] Housing and Home Finance Agency, Public Housing Administration, Chicago, Illinois, Loyalty of Government Employees, (Bureau file 121-22475). Reports in this case were furnished to the Department and the Civil Service Commission by memoranda dated September 1, 1950, October 9, 1953, February 19, 1954, and June 17, 1954. Reports were also furnished to the Office of Naval Intelligence by memorandum dated June 11, 1953.

The report of Special Agent Dean M. Howen, dated July 23, 1950, at Pittsburgh, Pennsylvania, contains information from [redacted] who is identified therein as Pittsburgh T-5.

By memorandum dated January 23, 1951, the Civil Service Commission advised that [redacted] was "eligible on loyalty." By memorandum dated March 8, 1955, the Civil Service Commission advised: "agency final action - favorable determination."

27. [redacted] aka [redacted] Applicant, Army Map Service, Department of the Army, Washington, D. C., Loyalty of Government Employees, (Bureau file 121-2236). Reports in this case were disseminated to the Department (Department file 146-200-2589), the Civil Service Commission, State Department, Office of Naval Intelligence, and Office of Special Investigations, Air Force,

In the report of Special Agent Warner Maupin, dated April 10, 1948, at Pittsburgh, Pennsylvania, there is reference to Matthew Cvetic as Pittsburgh T-4 and to [redacted] as Pittsburgh T-5.

On April 13, 1949, the Department of the Army advised that [redacted] was restricted to nonsensitive duties. By memorandum dated April 22, 1949, the Civil Service Commission advised that [redacted] was "retained." In July, 1950, this Bureau received information reflecting that [redacted] had received a notice of termination on July 21, 1950. On August 18, 1950, G-2 advised that [redacted] was "terminated."

28. [redacted] U. S. Postal Service, Pittsburgh, Pennsylvania, Loyalty of Government Employees, (Bureau file 121-5068). Reports in this case were furnished to the Department by memorandum dated October 28, 1948, (Department file 146-7-4644), and to the Civil Service Commission by memorandum dated July 27, 1948.

In report of Special Agent Douglas M. Brown, dated July 3, 1948, at Pittsburgh, Pennsylvania, reference is made to [redacted] as Pittsburgh T-5.

By memoranda dated October 14, 1949, and February 10, 1950, the Civil Service Commission advised that [redacted] "resigned or otherwise separated from Federal service prior to decision on loyalty."

29. [redacted]

[redacted] - Appointee, Surface Postal Transport, Post Office Department, Pittsburgh, Pennsylvania, Loyalty of Government Employees, (Bureau file 121-14773). Reports in this case were furnished to the Department by memoranda dated April 5, 1951, and April 16, 1951; reports were furnished to the Civil Service Commission by memoranda dated March 10, 1949, and April 3, 1951.

The report of Special Agent C. Leonard Treviranus, dated February 18, 1949, at Pittsburgh, Pennsylvania, contains information from Matthew Cvetic, who is identified therein as Pittsburgh T-3. The report of Special Agent Joseph J. O'Neill, dated March 7, 1951, at Pittsburgh, Pennsylvania, contains reference to Matthew Cvetic under the same designation.

It is noted that by memoranda dated June 8, 1949, and October 8, 1951, the Civil Service Commission advised that [redacted] was "eligible on loyalty."

30. [redacted]

aka [redacted]

[redacted] Bureau of Mines, Department of the Interior, Pittsburgh, Pennsylvania, Security of Government Employees, (Bureau file 140-4093). Reports in this case were disseminated to the Department and to the Civil Service Commission by memoranda dated August 4, 1954.

The report of Special Agent Joseph J. O'Neill, dated July 28, 1954, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic, who is openly identified. The information involved pertains to testimony of Cvetic before the House Committee on Un-American Activities.

By memorandum dated January 14, 1955, the Civil Service Commission advised that Sporeic was "retained."

31. [redacted]

[redacted] Post Office Department, Pittsburgh, Pennsylvania, Security of Government Employees, (Bureau file 140-1743). Reports in this case were disseminated to the Department and to the Civil Service Commission by memoranda dated January 21, 1954.

The report of Special Agent Dean M. Howen, dated January 11, 1954, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic, who is openly identified. The information from Cvetic is information furnished by him in testimony before the House Committee on Un-American Activities in 1950.

By memorandum dated August 27, 1954, the Civil Service Commission advised that [redacted] had "resigned or otherwise separated from Federal service prior to decision on investigative report - employee resigned July 29, 1954."

32. [redacted]
[redacted] Postal Transportation Service, Post Office Department, Pittsburgh, Pennsylvania, Security of Government Employees (Bureau file 140-318). Reports in this case were furnished to the Department by memoranda dated August 21, 1953, and September 18, 1953. Reports were furnished to the Civil Service Commission by memoranda of the same dates.

The report of Special Agent Vernon E. Daniels, dated July 20, 1953, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic in testimony before the House Committee on Un-American Activities in 1950. Cvetic is openly identified in the report.

By memorandum dated March 4, 1955, the Civil Service Commission advised: "Agency Final Action - Favorable Determination."

33. [redacted] nee [redacted] aka [redacted]
[redacted] U. S. Civil Service Commission, Washington, D. C., Security of Government Employees (Bureau file 140-859). Reports in this case were furnished to the Department and the Civil Service Commission by memoranda dated December 3, 1953.

The report of Special Agent Dean M. Howen, dated October 19, 1953, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic to the House Committee on Un-American Activities in 1950. Cvetic is openly identified in the report.

By memorandum dated April 7, 1954, the Civil Service Commission advised that the employee was "retained."

21. [redacted]
[redacted] Department of the Navy, Washington, D. C.,
Security of Government Employees, (Bureau file 140-6104).
Reports in this case were furnished to the Department and
to the Civil Service Commission by memoranda dated
December 14, 1954.

The report of Special Agent Dean M. Howen, dated
November 15, 1954, at Pittsburgh, Pennsylvania, contains
information furnished by Matthew Cvetic who is openly identified
in the report.

25. [redacted] nee [redacted]
[redacted] Department of the Army,
Philadelphia, Pennsylvania, Security of Government Employees,
(Bureau file 140-8058). Reports in this case were furnished to
the Department by memorandum dated April 12, 1955, and to the
Civil Service Commission by memorandum dated April 8, 1955.

The report of Special Agent Dean M. Howen, dated
March 28, 1955, at Pittsburgh, Pennsylvania, contains
information furnished by Matthew Cvetic who is openly identified
in the report.

36. [redacted] Appointee, Veterans Administration Hospital, Veterans Administration, Minneapolis, Minnesota, Loyalty of Government Employees (Bureau file 121-26548). Reports in this case were disseminated to the Department and the Civil Service Commission by memoranda dated April 6, 1951.

The report of Special Agent Dean M. Howen, dated March 14, 1951, at Pittsburgh, Pennsylvania, contains information from Matthew Cvetic, who is identified in the report as Confidential Informant Pittsburgh T-2. The report reflects also that [redacted] (designated as Pittsburgh T-10) and [redacted] (designated as Pittsburgh T-11) did not know the employee.

By memorandum dated November 30, 1951, the Civil Service Commission advised that [redacted] "resigned or otherwise separated from Federal service prior to decision on loyalty."

37. [redacted] aka [redacted]
[redacted] Housing and Home Finance Agency, Public Housing Administration, New York, New York, Security of Government Employees (Bureau file 121-3897). Reports in this case were furnished to the Department by memoranda dated October 22, 1948, October 21, 1949, February 10, 1954, and April 29, 1954. Reports were furnished to the Civil Service Commission by memoranda dated July 8, 1948, October 21, 1949, February 10, 1954, and April 29, 1954. G-2, Department of the Army, was furnished copies of the reports on May 12, 1954.

The report of Special Agent Gwyn B. Lytton, dated May 12, 1948, refers to [redacted] under the informant designation, Pittsburgh T-3, and to [redacted] under the informant designation, Pittsburgh T-4. The report of Special Agent Dean M. Howen, dated April 19, 1954, refers to Matthew Cvetic by name.

By memorandum dated June 13, 1950, the Civil Service Commission advised that [redacted] was "eligible on loyalty"; by memorandum dated January 31, 1955, the Civil Service Commission advised that [redacted] was "retained."

38. [redacted] aka [redacted]
[redacted], Middletown Air Force Depot, Department of the Air Force, Coraopolis, Pennsylvania, Security of Government Employees (Bureau file 140-2016). Reports in this case were furnished to the Department by memoranda dated February 15, 1954, and November 5, 1954; reports were furnished to the Civil Service Commission by memoranda of the same dates.

The report of Special Agent Dean M. Howen, dated October 28, 1954, contains information from [redacted] who is identified in the report as Confidential Informant T-11.

The report of Special Agent Dean M. Howen, dated January 8, 1954, contains information from [redacted] who is identified in the report as Confidential Informant Pittsburgh T-11, as well as information from Matthew Cvetic who is openly identified in the report. It is noted that this report was also furnished to the Coast Guard on September 15, 1954.

39. [redacted] Bureau of Mines, Department of the Interior, Pittsburgh, Pennsylvania (Bureau file 140-5218). Reports in this case were furnished to the Department and to the Civil Service Commission by memoranda dated September 30, 1954.

The report of Special Agent Joseph J. O'Neill, dated September 16, 1954, at Pittsburgh, Pennsylvania, contains information from [redacted] who is identified in the report as Confidential Informant Pittsburgh T-6. The report also contains information furnished by Matthew Cvetic in his testimony before the House Committee on Un-American Activities in 1950. Cvetic is openly identified in the report.

By memorandum dated January 14, 1955, the Civil Service Commission advised that [redacted] was "retained."

40. [redacted] Internal Revenue Service, Treasury Department, New York, New York, Security of Government Employees (Bureau file 121-8840).

The report of Special Agent Joseph J. O'Neill, dated October 6, 1954, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic in his testimony before the House Committee on Un-American Activities in 1950. This report was furnished to the Civil Service Commission by memorandum dated October 18, 1954.

The Department will be furnished copies of the report by separate memorandum.

X 41. [redacted] aka [redacted] National Labor Relations Board, Pittsburgh, Pennsylvania, Loyalty of Government Employees (Bureau file 121-42872). Reports in this case were furnished to the Department and the Civil Service Commission by memoranda dated March 31, 1953, and March 29, 1954.

The report of Special Agent C. Leonard Treviranus, dated March 6, 1953, at Pittsburgh, Pennsylvania, contains information from [redacted], who is identified in the report as Pittsburgh T-4. The report also contains information from Matthew Cvetic, who is identified in the report as Pittsburgh T-15.

The report of Special Agent Dean M. Howen, dated March 10, 1954, at Pittsburgh, Pennsylvania, contains information furnished by [redacted] who is identified therein as Pittsburgh T-4; information from [redacted] who is identified therein as Pittsburgh T-29; and from Matthew Cvetic, who is openly identified in the report, with respect to testimony furnished by him to the House Committee on Un-American Activities in 1950.

By memorandum dated November 22, 1954, the Civil Service Commission advised that [redacted] was "separated because of unfavorable report on 10-25-54, under Executive Order 10450."

42. [redacted] aka [redacted]
[redacted] - Appointee, St. Elizabeth's Hospital, Department of Health, Education and Welfare, Washington, D. C., Loyalty of Government Employees (Bureau file 121-43836). Reports in this case were furnished to the Department and the Civil Service Commission by memoranda dated July 13, 1953, and to G-2, Department of the Army, by memorandum dated July 17, 1953.

The report of Special Agent James B. Davidson, dated June 22, 1953, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic in his testimony before the House Committee on Un-American Activities at Washington, D. C., in 1950. Cvetic is openly identified in the report.

By memorandum dated November 25, 1953, the Civil Service Commission advised that Angelos was "retained."

43. [redacted]
Appointee, Veterans Administration Hospital, Veterans Administration, Northport, Long Island, New York, Loyalty of Government Employees (Bureau file 121-44156). Reports in this case were furnished to the Department and to the Civil Service Commission by memoranda dated July 13, 1953.

The report of Special Agent C. Leonard Treviranus, dated June 22, 1953, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic, who is identified in the report as Confidential Informant Pittsburgh T-2.

By memorandum dated December 15, 1954, the Civil Service Commission advised that Dorsey "resigned or otherwise separated from Federal service prior to decision on investigative report - resigned January 22, 1954."

44. [redacted] - Appointee, Bureau of Land Management, Department of the Interior, Swan Island, Portland, Oregon, Loyalty of Government Employees (Bureau file 121-43657). Reports in this case were furnished to the Department and to the Civil Service Commission by memoranda dated June 16, 1953.

The report of Special Agent C. Leonard Treviranus, dated May 8, 1953, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic in testimony before the House Committee on Un-American Activities in 1950. Cvetic is openly identified in the report.

By memorandum dated May 4, 1954, the Civil Service Commission advised that [redacted] was "retained."

45. [redacted] aka [redacted]
[redacted] - Trainee, Veterans Administration Hospital, Veterans Administration, Northport, New York, Security of Government Employees (Bureau file 140-6591). Reports in this case were furnished to the Department and to the Civil Service Commission by memoranda dated February 4, 1955.

The report of Special Agent Joseph J. O'Neill, dated December 22, 1954, at Pittsburgh, Pennsylvania, contains

information furnished by Matthew Cvetic in testimony before the House Committee on Un-American Activities in 1950. Cvetic is openly identified in the report.

46. [redacted]
[redacted] Veterans Administration Hospital, Veterans Administration, Pittsburgh, Pennsylvania, Security of Government Employees (Bureau file 140-7115). Reports in this case were furnished to the Department and to the Civil Service Commission by memoranda dated March 8, 1955.

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The report of Special Agent Joseph J. O'Neill, dated February 9, 1955, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic, who is openly identified in the report.

47. [redacted] aka [redacted]
[redacted] National Labor Relations Board, Winston-Salem, North Carolina, Security of Government Employees (Bureau file 140-2709). Reports in this case were furnished to the Department and the Civil Service Commission by memoranda dated April 21, 1954. Reports were also furnished to the Central Intelligence Agency on March 7, 1955, in connection with a name check on [redacted]

The report of Special Agent Joseph J. O'Neill, dated March 17, 1954, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic, who is openly identified in the report.

48. [redacted]
[redacted] Applicant, War Assets Administration, Philadelphia, Pennsylvania, Loyalty of Government Employees (Bureau file 121-1999). Reports in this case were furnished to the Civil Service Commission by memorandum dated June 18, 1948. Copies of these reports are being furnished to the Department by separate memorandum.

The report of Special Agent Warner G. Maupin, dated May 3, 1948, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic, who is identified in the report as Confidential Informant Pittsburgh T-1.

By memorandum dated April 8, 1954, the Civil Service Commission advised that [redacted] who is now an employee of the Department of Labor, was "retained."

49. [redacted] aka [redacted]
[redacted] Department of the Army, Fort Belvoir, Virginia, Loyalty of Government Employees (Bureau file 121-2818). Reports in this case were furnished to the Department by memorandum dated January 10, 1949, (Department file 146-200-1789). Reports were furnished to the Civil Service Commission by memorandum dated May 8, 1948. Reports in this case were furnished to the State Department on August 5, 1949.

Report of Special Agent Warner G. Maupin, dated April 19, 1948, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic, who is identified as Confidential Informant Pittsburgh T-1.

By memorandum dated February 3, 1950, the Civil Service Commission advised that [redacted] had "resigned or otherwise separated from Federal service prior to decision on loyalty."

50. [redacted] War Department, Washington, D. C., Loyalty of Government Employees (Bureau file 121-698). Reports in this case were furnished to the Department by memorandum dated February 3, 1949, (Department file 146-1-62-428). Reports were also furnished to the Civil Service Commission by memorandum dated April 14, 1948.

The report of Special Agent Warner G. Maupin, dated January 7, 1948, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic, who is identified therein as Confidential Informant Pittsburgh T-1.

By memorandum dated June 24, 1949, the Civil Service Commission advised that [redacted] had "resigned or otherwise separated from Federal service prior to decision on loyalty."

51. [redacted] U. S. Post Office Department, Pittsburgh, Pennsylvania, Loyalty of Government Employees (Bureau file 121-13960). Reports in this case were furnished to the Department by memorandum dated May 4, 1950, and to the Civil Service Commission by memorandum dated January 13, 1949.

The report of Special Agent Richard Boyd Smith, dated December 22, 1948, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic, who is identified in the report as Confidential Informant Pittsburgh T-1 and Confidential Informant Pittsburgh T-8. The report also contains information from [redacted] who is identified therein as Pittsburgh T-10 and [redacted] who is identified in the report as Pittsburgh T-6.

By memorandum dated April 15, 1949, the Civil Service Commission advised that [redacted] was "retained." By memorandum dated January 26, 1951, the Civil Service Commission advised that [redacted] was "eligible on loyalty." By memorandum dated June 1, 1954, the Civil Service Commission advised that as the result of adjudication under the provisions of Executive Order 10450, [redacted] was "separated because of unfavorable report - subject was terminated after suspension."

52. [redacted] aka [redacted] [redacted] Bureau of Mines, U. S. Department of the Interior, Pittsburgh, Pennsylvania, Loyalty of Government Employees (Bureau file 121-15760). Reports in this case were furnished to the Department (Department file 146-7-64-517) and to the Civil Service Commission by memoranda dated March 28, 1949.

Report of Special Agent Warner G. Haupin, dated March 17, 1949, at Pittsburgh, Pennsylvania, contains information furnished by Matthew Cvetic, who is identified therein as Pittsburgh T-2.

By memoranda dated July 6, 1949, and March 13, 1953, the Civil Service Commission advised that [redacted] was "eligible on loyalty."

53. [redacted]

nee [redacted]

aka [redacted]

[redacted]
Pittsburgh Ordnance District, Department of the Army, Pittsburgh, Pennsylvania, Security of Government Employees, (Bureau file 140-5594). Reports in this case were furnished to the Department, the Civil Service Commission, the State Department, and G-2, Department of the Army, on September 21, 1954, October 15, 1954, and October 27, 1954.

The report of Special Agent Dean M. Howen, dated September 10, 1954, at Pittsburgh, Pennsylvania, contains information furnished by [redacted] and Matthew Cvetic, all of whom are openly identified in the report. The report of Special Agent Dean M. Howen, dated October 1, 1954, at Pittsburgh, Pennsylvania, contains information from Matthew Cvetic who is openly identified in the report.

The report of Special Agent Dean M. Howen, dated October 22, 1954, at Pittsburgh, Pennsylvania, also contains information from Matthew Cvetic who is openly identified in the report.

As is noted in my memorandum to the Civil Service Commission dated October 27, 1954, copies of which were furnished to the Department, State Department and G-2, [redacted] resigned effective October 22, 1954, rather than face charges.

54. [redacted]

[redacted] Housing and Home Finance Agency, Public Housing Administration, Washington, D. C., Security of Government Employees, (Bureau file 121-6770). Reports in this matter were furnished to the Department by memorandum dated October 14, 1948, and to the Civil Service Commission by memorandum dated August 4, 1948. Additional reports were furnished to the Department and the Civil Service Commission on several subsequent dates.

The report of Special Agent Richard Boyd Smith, dated June 25, 1948, at Pittsburgh, Pennsylvania, contains information from Matthew Cvetic, identified therein as Pittsburgh T-2 and from [redacted] identified therein as Pittsburgh T-5.

The report of Special Agent Dean M. Howen, dated January 20, 1953, at Pittsburgh, Pennsylvania, (furnished to the Department and the Civil Service Commission on January 29, 1953), contains information from [redacted] identified as Pittsburgh T-5, [redacted] identified as Pittsburgh T-13 and Matthew Cvetic who is openly identified in the report.

The report of Special Agent C. Leonard Treviranus, dated April 9, 1953, at Pittsburgh, Pennsylvania, contains information from [redacted] identified therein as Pittsburgh T-5. Copies of this report were furnished to the Department and the Civil Service Commission on April 23, 1953.

In connection with this investigation it is noted that the Department and the Civil Service Commission have also been furnished copies of reports captioned "Abe L. Savage, Special Inquiry - State Department, Public Law 492, 80th Congress, Voice of America." (Bureau file 123-8490). These reports were also furnished to the State Department. With respect to the reports submitted under that caption, the report of Special Agent William K. Cavanaugh, dated February 17, 1951, at Pittsburgh, Pennsylvania, contains information from [redacted] designated as Pittsburgh T-1 therein, and from Matthew Cvetic, designated as Pittsburgh T-11. The report of Special Agent William K. Cavanaugh, dated April 6, 1951, at Pittsburgh, Pennsylvania, contains information from [redacted] (Pittsburgh T-1) and from [redacted] who is identified as Pittsburgh T-14. It is noted that the following reports prepared at Pittsburgh, Pennsylvania, likewise contain information from [redacted] and/or [redacted] under the informant designations previously noted: report dated April 20, 1951; report dated June 12, 1951; report dated December 11, 1951; report dated December 26, 1951; and report dated January 7, 1952. The report dated June 12, 1951, also contains information from Matthew Cvetic who is openly identified in the report.

By memorandum dated July 26, 1949, the Civil Service Commission advised that [redacted] was "eligible"; by memorandum dated February 26, 1954, the Civil Service Commission advised that [redacted] was "retained"; and by memorandum dated February 28, 1955, the Civil Service Commission advised that the "Agency Final Action" in this matter was "Favorable Determination."

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55. [redacted] aka [redacted]
[redacted] U. S. Public Health Service,
Department of Health, Education, and Welfare, Washington, D. C.,
Security of Government Employees, (Bureau file 121-44198). Reports
in this case were transmitted to the Department and to the Civil
Service Commission by memoranda dated August 19, 1953.

The report of Special Agent C. Leonard Treviranus, dated
July 16, 1953, at Pittsburgh, Pennsylvania, contains information
from [redacted] identified therein as Pittsburgh T-3 and from
Matthew Cvetic whose identity is set out openly in the report, with
respect to his testimony before the House Committee on Un-American
Activities in 1950.

By memorandum dated October 1, 1954, the Civil Service
Commission advised that [redacted] "resigned or otherwise separated
from Federal service prior to decision on investigative report -
subject was terminated on August 20, 1954."

56. [redacted] nee [redacted] aka [redacted]
[redacted] St. Louis Ordnance District, Department of
the Army, St. Louis, Missouri, Security of Government Employees,
(Bureau file 140-6346). Reports in this case were furnished to the
Department and the Civil Service Commission by memoranda dated
December 27, 1954.

The report of Special Agent Joseph J. O'Neill, dated
December 3, 1954, contains information from [redacted] who is
identified as Pittsburgh T-1, and information from [redacted] who
is identified as Pittsburgh T-4. The same report contains information
from Matthew Cvetic who is openly identified in the report.

57. [redacted] aka [redacted]
Applicant, State Department, Washington, D. C., Security of
Government Employees (Bureau file 140-2662 and Bureau file
77-39582). It is noted that this individual has recently been
investigated by the Bureau under the caption "Attorney, Office of
Alien Property; Departmental Applicant." All reports in this matter
have been forwarded to Mr. William P. Rogers, Deputy Attorney General.
It is noted that the report of Special Agent Dean M. Howen, dated
March 13, 1954, at Pittsburgh, Pennsylvania, contains information
from Matthew Cvetic, who is openly identified in the report. It is
further noted that Mr. Cvetic was recently reinterviewed at the
request of Mr. Rogers; and the report reflecting the results of
that interview was furnished to the Department on April 7, 1955.

Reports in this case were also furnished to the Civil
Service Commission on December 23, 1954, in view of [redacted] status
as an applicant for employment with the Department of State.

58. [redacted]

U. S. Post Office Department, Arsenal Station, Pittsburgh, Pennsylvania, Loyalty of Government Employees, (Bureau file 121-540). Reports in this case were furnished to the Civil Service Commission by memorandum dated May 1, 1948; reports were furnished to G-2, Department of the Army in January, 1952.

Report of Special Agent Warner G. Maupin, dated March 8, 1948, at Pittsburgh, Pennsylvania, contains information from Matthew Cvetic who is identified in the report as Informant C-113.

By memorandum dated February 28, 1949, the Civil Service Commission advised that [redacted] was "retained."

Copies of reports in this case will be furnished to the Department by separate memorandum.

59. [redacted]

National Bureau of Standards, Department of Commerce, Washington, D. C., Loyalty of Government Employees, (Bureau file 121-1341). Reports in this case were furnished to the Civil Service Commission by memorandum dated May 28, 1948.

The report of Special Agent Robert D. McVey, dated May 4, 1948, at Pittsburgh, Pennsylvania, contains reference to Matthew Cvetic under the informant designation Pittsburgh T-2.

By memorandum dated October 13, 1948, the Civil Service Commission advised that [redacted] was "retained."

Copies of reports in this case will be furnished to the Department by separate memorandum.

Director, Federal Bureau of Investigation

Warren Olney III, Assistant Attorney General
Criminal Division

April 20, 1955
WO:MAR:apw

MATTHEW CVETIC

51-16-397

EX-COMMUNISTS AS WITNESSES

Transmitted herewith for your information is a copy of a self-explanatory letter dated April 4, 1955, concerning subject, from the United States Attorney for the Western District of Pennsylvania to the Assistant Attorney General, Internal Security Division.

This memorandum is classified solely because of its enclosure and may be declassified when the enclosure is removed.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-99 BY 60267 NIS/EP/SP
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Enclosure No. 63873

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~~CONFIDENTIAL~~

THE ATTORNEY GENERAL

April 22, 1955

Director, FBI

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100-418105-19

~~CONFIDENTIAL~~

EX-112

EX-COMMUNISTS AS WITNESSES

Reference is made to your memorandum of April 15, 1955, concerning the three-man committee which has been established to consider certain problems relative to witnesses in Communist proceedings.

We will continue to furnish to interested divisions of the Department any information which we have concerning the reliability of persons being considered as potential witnesses.

cc - Mr. William P. Rogers
Deputy Attorney General

cc - Assistant Attorney General
William F. Tompkins

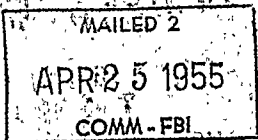
cc - Assistant Attorney General
Warren Olney III

cc - Commissioner
Immigration and Naturalization Service

DECLASSIFIED BY 60267 NIS/EP/OD
ON 10-13-99

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GFM:pjm;csk
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Olson _____
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Belmont _____
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Mohr _____
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Tele. Room _____
Holloman _____
Gandy _____

MAY 17 1955

MAY 4 1955

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Office Memorandum • UNITED STATES GOVERNMENT

TO : Messrs. Rogers, Hoover, Swing, Rankin,
Tompkins, Olney

DATE: April 14, 1955

FROM : Herbert Brownell, Jr.

SUBJECT: EX-COMMUNISTS AS WITNESSES

Mr. Tolson	_____
Mr. Boardman	_____
Mr. Belmont	_____
Mr. Harbo	_____
Mr. Mohr	_____
Mr. Rosen	_____
Mr. Tamm	_____
Mr. Sizoo	_____
Mr. Winterrowd	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

This will confirm that at our meeting on February 21, 1955 on the above subject a three-man committee was established, made up of Mr. Noto, Mr. Irons and Mr. McLain, to coordinate the work of the Criminal Division, the Internal Security Division, the INS and the FBI as to (a) scheduling of witnesses in Communist proceedings; (b) reviewing their reliability prior to each use of them, and (c) advising as to any proper assistance which may be rendered to ex-Communist witnesses to protect them against retaliatory action taken against them from Communist sources to deprive them of their livelihood or peace of mind.

Mr. Rogers is to supervise the work of this committee, and the committee is to report to him from time to time on its work. Mr. Rogers will appoint a Chairman of the committee if that is required in order to facilitate the work of the committee.

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ON 10-13-99

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Let 4-14-55
cc: Rogers
cc: Rankin
cc: Olney
cc: 2-18-55
cc: 4/22/55
cc: 5/7M

± B's only interest
in this is to supply
information as to
reliability.

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EX-112

~~EX-112~~

APR 18 1955

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23 APR 27 1955

FBI - PHOENIX

~~CONFIDENTIAL~~

b6
b7C
b7D

Assistant Attorney General
William F. Tompkins

April 25, 1955

Director, FBI

DECLASSIFIED BY 60267 NIS/EP/DD
ON 10-13-99

401820

EX-COMMUNISTS AS WITNESSES
(MATTHEW CVETIC, [REDACTED])
[REDACTED]

Reference is made to my memorandum dated April 18, 1955, transmitting a list of cases involving investigations conducted under Executive Orders 9835 and 10450 in which reports contain information emanating from either Matthew Cvetic, [REDACTED], or [REDACTED]. It will be noted that the list indicates that, in certain of the cases, reports have not been furnished to the Department, and that copies of those reports would be submitted to the Department by separate memorandum.

Enclosed herewith is one copy of each of the reports pertinent to the cases involved:

Case Number 20 - [REDACTED] aka [REDACTED]
[REDACTED] Social Service Section; Veterans Administration Hospital; Veterans Administration; Aspinwall, Pennsylvania; Loyalty of Government Employees.

Report of Special Agent Lawrence E. Thompson, dated September 2, 1948, at Pittsburgh, Pennsylvania.

Report of Special Agent Dean M. Howen, dated December 17, 1952, at Pittsburgh, Pennsylvania.

Report of Special Agent Karl V. Hetherington, dated August 19, 1948, at Washington, D. C.

Report of Special Agent Michael B. Davis, dated July 8, 1948, at Philadelphia, Pennsylvania.

Report of Special Agent Roland S. Torn, dated August 14, 1948, at Houston, Texas.

COMM-FBI

APR 25 1955

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Tolson _____
Boardman _____
Nichols _____
Belmont _____
Harbo _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Sizoo _____
Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____

Enclosures (15)

(9)

cc: (1) 121-6046
(1) 121-8840
(1) 121-1999
(1) 121-540
(1) 121-1341

RECORDED-48

~~CONFIDENTIAL~~

63-MAY 5-1955

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~~CONFIDENTIAL~~

Case Number 40 - [redacted]
Internal Revenue Service; Treasury Department;
New York, New York; Security of Government Employees.

Report of Special Agent Joseph J. O'Neill, dated
October 6, 1954, at Pittsburgh, Pennsylvania.

By memorandum dated February 16, 1951, captioned
[redacted] Special Inquiry - State Department; Public
Law 402, 80th Congress (Voice of America); Loyalty of
Government Employees," the Department was furnished other
reports in this case.

b6
b7C

Case Number 48 - [redacted]
[redacted] - Applicant; War Assets
Administration; Philadelphia, Pennsylvania; Loyalty
of Government Employees.

Report of Special Agent Warner G. Maupin, dated
May 3, 1948, at Pittsburgh, Pennsylvania.

Report of Special Agent Thomas F. McDevitt, dated
May 15, 1948, at Philadelphia, Pennsylvania.

Case Number 58 - [redacted]
[redacted] United States Post Office Department;
Arsenal Station; Pittsburgh, Pennsylvania; Loyalty
of Government Employees.

Report of Special Agent Warner G. Maupin, dated
March 8, 1948, at Pittsburgh, Pennsylvania.

Report of Special Agent John T. Lynch, dated
March 9, 1948, at Washington, D. C.

Report of Special Agent Willard H. Eaves, dated
March 6, 1948, at Louisville, Kentucky.

Case Number 59 - [redacted]
National Bureau of Standards; Department of
Commerce; Washington, D. C.; Loyalty of Government
Employees.

Report of Special Agent James Frew, dated
May 20, 1948, at Washington, D. C.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Report of Special Agent Austin H. Gunsel, dated May 10, 1948, at Philadelphia, Pennsylvania.

Report of Special Agent Robert D. McVey, dated May 4, 1948, at Pittsburgh, Pennsylvania.

Report of Special Agent James R. Oliver, dated May 1, 1948, at Chicago, Illinois.

~~CONFIDENTIAL~~

MEMORANDUM FOR MR. BOARDMAN

RECOMMENDATION:

I think we should know what decisions this committee is reaching in so far as the use of individuals as witnesses is concerned, as many of these individuals will have furnished information to the Bureau. We will look at the minutes upon receipt and advise you of anything of interest to the Bureau.

gmm

2B

Right.
D

V.

74

5-3-55
Minutes to date
forwarded to Bureau
5-2-55 for Fred Harvey,
INS, DJS

cc: Mr. Nichols
Mr. Boardman
Mr. Belmont
Mr. Baumgardner
Mr. Reddy

RECORDED-42 The Attorney General

100 - 418105 - 22

Director, FBI

April 15, 1955

EX-COMMUNISTS AS WITNESSES

Reference is made to your memorandum dated April 11, 1955, attaching a memorandum to you dated April 7, 1955, from Assistant Attorney General Tompkins. You requested that point 3 in Mr. Tompkins' memorandum, "Recommendations Concerning Procedure Followed By Attorneys in Preparing Smith Act and Other Internal Security Cases for Trial," be reviewed. You further requested that you be advised with respect to Mr. Tompkins' recommendation that a conference be held to discuss the advisability of a new procedure in connection with informant-witnesses not being allowed to review their written reports prior to testifying.

It is realized that by allowing informant-witnesses to review their reports before they take the witness stand, the Government is taking a calculated risk that a trial judge may rule that past recollection refreshed is a sufficient basis for a defense demand that the reports be produced, even though the refreshing of recollection took place outside of the courtroom. Mr. Tompkins has made the point, however, that this review of reports by informant-witnesses will substantially decrease honest inconsistencies in their testimony which appears highly desirable, particularly at this time, when the entire informant program is under heavy attack.

As the Department is aware, some written reports of Bureau informants contain information of a general intelligence nature which is not at all relevant to the issue concerning which the informant is testifying. Some of these reports mention individuals who are not Communists and also mention the names of other confidential informants who are not known as such to the reporting informant and who are not publicly known as Communists. Should the names of individuals who are not Communists be made public, the Government may well be placed in an embarrassing situation and should the names of confidential informants be made public, they may well be lost to the Bureau as informants.

Tolson
Boardman
Nichols
Belmont
Harbo
Mohr
Parsons
Rosen
Tamm
Sizoo
Winterrowd
Tele. Room
Holloman
Gandy

MAY 12 1955
FBI: nbs
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The Bureau is, therefore, still of the opinion that Government attorneys should continue to vigorously oppose all defense requests for the production of written reports of Bureau informants and should insist that any such reports be first reviewed in chambers by the trial judge and turned over to the defense only if the trial judge so orders. The Bureau will continue to review the reports of any informant-witnesses which have been demanded by the defense to determine whether there is any sound objection to their ultimate production and will point out to the Department any portions of the reports which should be excised before the reports are turned over to the defense.

Taking the above factors into consideration, the Bureau will leave to the discretion of the Department the desirability of allowing informant-witnesses to review their written reports to the Bureau before they take the witness stand in Smith Act or other Internal Security cases. We would appreciate being advised if the Department intends to follow this procedure in future Smith Act and other Internal Security prosecutions.

2 cc - Mr. William F. Rogers
Deputy Attorney General

2 cc - Assistant Attorney General
William F. Tompkins

- 2 -

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Hoover

FROM : Herbert Brownell, Jr.

SUBJECT: Ex-Communists As Witnesses

DATE: April 11, 1955

Mr. Tolson _____

Mr. Boardman _____

Mr. Nichols _____

Mr. Belmont _____

Mr. Harbo _____

Mr. Mohr _____

Mr. Parsons _____

Mr. Rosen _____

Mr. Tamm _____

Mr. Sizoo _____

Mr. Winterrowd _____

Tele. Room _____

Mr. Holloman _____

Miss Gandy _____

DECLASSIFIED BY 60267 NIS/EP/DP
ON 10-13-99

901820

I am attaching a memorandum to me from Mr. Tompkins, dated April 7, 1955, on the above subject.

Will you please review Point No. 3 in the memorandum and advise me with respect to the recommendation made therein.

Attachment

RECORDED-42

INDEXED-42

100-412105-22

11 MAY 11 1955

EX-117

INT SEC

EXP. PROC.

APR 11 1955

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300-3774-134

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. L. V. Boardman

DATE: April 13, 1955

FROM : Mr. A. H. Belmont

SUBJECT: EX-COMMUNISTS AS WITNESSES

Tolson ☒
 Boardman ☒
 Nichols ☒
 Belmont ☒
 Harbo ☐
 Mohr ☐
 Parsons ☐
 Rosen ☐
 Tamm ☐
 Sizoo ☐
 Winterrowd ☐
 Tele. Room ☐
 Holloman ☐
 Gandy ☐

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 10-13-99 BY 60367NIS/EP/DO
 901820

SYNOPSIS:

A memorandum from the Attorney General to the Director dated April 11, 1955, requested that a review be made of Section 3 of a memorandum to the Attorney General from Assistant Attorney General Tompkins dated April 7, 1955, captioned "Recommendations Concerning Procedure Followed by Attorneys in Preparing Smith Act and other Internal Security Cases for Trial." The Attorney General requested that he be advised with respect to the recommendation made in this section by Mr. Tompkins.

In the above section, Mr. Tompkins points out that former and current Bureau informants who are being considered as witnesses in Smith Act and other Internal Security trials are not allowed to review their written reports to the Bureau before testifying. He notes that this procedure is followed to insure, in so far as practicable, that there will be no basis for defense counsel demanding the production of these reports. Mr. Tompkins points out that most informant-witnesses have submitted literally hundreds of reports to the Bureau and he mentions the extreme difficulty of informant-witnesses recalling details connected with the great number of conventions, meetings, and schools which they have attended and reported on. Mr. Tompkins states that the current policy substantially increases the likelihood of honest error and confusing of details during testimony and that such instances have been seized upon and magnified by critics of the informant system.

Mr. Tompkins points out further that while the Government has always been successful in opposing the production of informant reports where the defense has made a sweeping

cc: Mr. Nichols
 Mr. Boardman
 Mr. Belmont
 Mr. Baumgardner
 Mr. Donohue
 Mr. Reddy

EBR:nbs

50 MAY 12 1955
 (7)
 cc: BELMONT
 TOMPKINS
 4-15-55
 EBR

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EX-117

11 MAY 11 1955

Why don't we send forth
 our fingers in informants to say
 that might be necessary
 of a conference
 for something it being
 lost in the endless conference

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demand for the production of all reports, the defense always has the advantage of arguing to the jury that the Government is covering up. Mr. Tompkins admits, however, that such arguments have apparently not been detrimental except possibly in the Seattle Smith Act trial in which defendant Karly Larsen was acquitted by the jury. (Larsen is the only Smith Act defendant out of 82 tried to date who has been acquitted by the jury.)

Mr. Tompkins relates that while in many Smith Act prosecutions to date the court has required the Government to produce one or two informant reports, the production has always been made over objection by Government attorneys. It is Mr. Tompkins' feeling that the refusal of the Government to produce a report concerning a meeting about which an informant has already testified in detail seems to be a questionable policy, especially at this time, in view of the apparently growing criticism of informant testimony.

Mr. Tompkins draws the following conclusions:

1. An informant's recollection can more accurately and completely be refreshed if he is permitted to review the reports submitted by him to the Bureau;
2. Through this refreshing of recollections, there is little likelihood that inaccuracies will appear in their testimony;
3. A precedent for the production of Bureau reports has already been established in several cases under certain circumstances.

Mr. Tompkins then suggests to the Attorney General that consideration be given to taking up with the Bureau the question of adopting a new procedure with reference to informant reports. Mr. Tompkins lists the following advantages:

1. The unusual burdens and responsibilities presently placed on trial attorneys in Internal Security cases would be considerably eased, and properly so, if the attorneys could make available to a prospective witness the informant reports he had submitted to the Bureau;
2. In many instances extremely valuable evidence has been lost because of the inability of the informant-witness

to recall the details of a meeting or educational discussion. If informant-witness had been permitted to review his report concerning this meeting or school, this valuable evidence would not have been lost.

BUREAU'S POSITION:

At the very outset of Smith Act trials we discussed with the Department the probability that defense counsel would make every effort to get Bureau records into evidence, and we pointed out the following objections to informant reports becoming part of the trial record:

1. Some informant reports contain hearsay material which is not legally admissible and which is reported solely for intelligence purposes;
2. Some informant reports contain the names of other informants not known as such to the reporting informant and not openly known as Communists. If the names of these informants become publicly known and they are identified as Communists, they could possibly be lost to us as informants;
3. Some informant reports contain the names of individuals who are not Communists and whose names should not become publicly known as a result of their being mentioned in the report of an informant of the FBI. This could be a cause of embarrassment to the Bureau;
4. Every time the defense succeeds in forcing the Government to produce an informant report, it represents an additional precedent which makes the next defense demand easier.

Based upon the above reasoning, the Department adopted the procedure of not allowing informant-witnesses to review their reports before testifying, since although there appears

to be a well-established principle of evidence that past recollection refreshed outside of the courtroom is not, in itself, a sufficient basis for a defense demand for the production of the reports, there are cases which apparently leaves a wide discretion to the trial judge as to whether this principle must be followed. Accordingly, the Department agreed that it was more desirable for the informant to be in a position to testify that he had not seen his reports prior to testifying.

OBSERVATIONS:

Mr. Tompkins' comments are, generally speaking, true. It would be much easier for the Government attorneys to properly prepare an informant for testimony if the informant had been given the opportunity of reviewing his reports and this procedure would substantially decrease the likelihood of honest error and confusion of details by the informant during his testimony. There is, of course, the danger, as pointed out above, that allowing the informant-witnesses to refresh their recollections by reviewing their reports prior to testifying would be an additional factor for the trial judge to consider should the defense demand the informant reports.

In this connection, the Bureau, by memorandum to former Assistant Attorney General James M. McInerney dated June 5, 1952, raised certain hypothetical questions concerning the production of informant reports. This inquiry was prompted by a ruling of United States District Judge Mathes in the Los Angeles Smith Act trial wherein Mathes ordered the production of three informant reports. Mathes' ruling was based upon the fact that the Government, by placing the informant on the witness stand and having him testify in open court to certain facts which he had reported to the FBI in writing, had waived the privilege of now claiming that the reports of the informant are confidential. In his ruling, Judge Mathes specifically stated that past recollections refreshed by reviewing the reports outside of the courtroom was not, in itself, a sufficient basis for a defense demand for the production of the reports. This latter point arose as a result of the informant mistakenly stating that he had seen his reports prior to taking the witness stand. Actually, the informant had seen the witness brief drawn up by the United States Attorney and had not seen his informant reports.

One of the hypothetical questions raised by the Bureau in its memorandum to the Department dated June 5, 1952, was "Would the ruling of Judge Mathes as to the waiver by the Government of its privilege of claiming that the informant reports are confidential be influenced had the witness actually refreshed his recollection from a review of his reports outside the courtroom." The Department's reply was to the effect that if the informant used his written reports for the purpose of refreshing his recollection prior to testifying, the court might, in its discretion, permit inspection of the documents by the defendants under an opinion rendered by the United States Supreme Court on that point in the case entitled "Goldman v. U. S., 316 U. S. 129." The Department pointed out, however, that it was felt that the court should not exercise such discretionary authority favorable to the defense unless it appears from the court's inspection of the documents that they contain impeaching, exculpatory, or contradictory material. The Department concluded that based upon a review of all pertinent judicial decisions, it was the opinion of the Department that if informant reports are not used to refresh the recollection of the witnesses, either on the stand or prior to trial, and if the documents contain no impeaching, exculpatory, or contradictory material, and are not otherwise relevant, the defendants are not entitled to any inspection thereof.

It appears, therefore, that by allowing the informant-witnesses to review their reports before testifying, the Government would be taking a calculated risk that the trial judge might consider this fact sufficient basis for the defense to demand production of the reports. On the other hand, however, the ruling of Judge Mathes in the Los Angeles trial that the Government, by having the witness testify to facts in his written reports, waives the privilege of claiming these reports are confidential, could also be followed by other trial judges and the fact that the informant-witness either did or did not review his reports prior to testifying has no bearing on this doctrine. To date, the only trial judge other than Judge Mathes who has mentioned the waiver of privilege by the Government was Judge Rabe F. Marsh who presided at the Pittsburgh Smith Act trial. In an opinion dated November 10, 1953, Judge Marsh stated that had the defense in that case requested certain specific informant reports of witness Matt Cvetic instead of

making a sweeping demand for all of Cvetic's reports, he, Judge Marsh, would have ordered the reports produced because "the claim of confidential privilege was lost when Cvetic began to testify."

CONCLUSION:

Since, therefore, we are always faced with the possibility of the trial judge ordering the production of specified informant reports regardless of whether or not the informant-witness has refreshed his recollection by reviewing these reports outside of the courtroom, there appears to be no sound basis for opposing a request by the Department that informant-witnesses be allowed to review their reports prior to testifying. This review, as pointed out by Mr. Tompkins, will substantially decrease honest inconsistencies in the testimony of informants, which appears highly desirable at this time when informants are under attack, and will enable the informants to bring out all evidence considered of value by Government attorneys.

It is felt, however, that Government attorneys should continue to vigorously oppose all defense requests for production of informant reports and should insist that any such reports be first reviewed in chambers by the trial judge before a decision is reached as to whether the reports should be made available to the defense. The Bureau will, of course, review the reports in question to determine whether there is any sound objection to their ultimate production and will point out to the Department any portions of the reports which should be excised before the reports are turned over to defense counsel.

In his memorandum to the Attorney General, Mr. Tompkins noted that in several instances in which the Government has been required by the court to produce informant reports and where the defense has been permitted to examine such reports, no effort has been made by the defense to offer the reports in evidence. On the contrary, in each such instance where the Government has then offered the reports in evidence, the defense has strenuously objected.

RECOMMENDATIONS:

1. It is recommended that the Attorney General be advised that the Bureau is willing to discuss, at the convenience of the Department, the desirability of a revised procedure in connection with informant-witnesses not being allowed to review their written reports prior to testifying. A memorandum to the Attorney General is attached.

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Dir. INST.
FMB

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2. Since informants are currently under heavy attack and since there is no question but that the reviewing of their reports by informant-witnesses will cut down on honest errors and inconsistencies in their testimony, I will, if you approve, confer with Departmental representatives at their request and will interpose no objection to the Department's proposal, provided the Department continues to exert every effort to keep these reports out of evidence.

✓

283 GMB

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AB

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FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-14-2010

cc: Mr. Boardman
Mr. Belmont
Mr. Reddy

May 3, 1955

RECORDED-44

The Attorney General

100-418105-25

Director, FBI

CONFIDENTIAL REPORTS MADE TO THE
BUREAU BY CONFIDENTIAL INFORMANTS

Reference is made to the memorandum of
Assistant Attorney General William F. Tompkins dated
April 26, 1955, captioned as above, which referred
to my memorandum to you dated April 15, 1955, captioned
"Ex-Communists as Witnesses."

There are attached hereto for your information
copies of my memorandum to Assistant Attorney General
Tompkins dated May 2, 1955, in reply to his memorandum
of April 26, 1955.

Enclosure

2 cc - Mr. William F. Rogers
Deputy Attorney General
(Enclosure)

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Mr. Tolson
Mr. Boardman
Mr. Nichols
Mr. Belmont
Mr. Harbo
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Sizoo
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

MAY 12 1955

~~CONFIDENTIAL~~

cc: Mr. Belmont
Mr. Reddy

Assistant Attorney General
William F. Tompkins

RECORDED-42

May 2, 1955

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Director, FBI

DECLASSIFIED ON 2-27-85

BY 1678 RSP/200m

CONFIDENTIAL REPORTS MADE TO THE
BUREAU BY CONFIDENTIAL INFORMANTS

LIT-100

Reference is made to your memorandum dated April 26, 1955, which referred to my memorandum to the Attorney General dated April 15, 1955, captioned "Ex-Communists as Witnesses."

It is noted that in your memorandum of April 7, 1955, addressed to the Attorney General, you stated:

"It is perfectly apparent that the unusual burdens and responsibilities presently placed on trial attorneys in internal security cases would be considerably eased, and properly so, if they were permitted to make available to a prospective witness any written reports or statements submitted by that witness to the Bureau. It is therefore recommended that consideration be given to the advisability of once again taking this matter up with the Bureau in conference with a view to securing the Bureau's approval of a new procedure in this regard. It also should be pointed out that, in many instances in Smith Act prosecutions, extremely valuable evidence has been lost because of the inability of an informant witness to recall the details of a meeting or of an educational discussion. It is certainly reasonable that in many instances the recollection of the witness as to such details would be refreshed were he permitted to review his own report containing such details."

This Bureau could not be placed in the position of obstructing prosecutions upon which the Department desired to proceed and so this Bureau responded to your memorandum of April 7, 1955, by its memorandum of April 15, 1955, in which it was stated we would leave to the discretion of the Department the desirability of allowing informant witnesses to review their written reports to the Bureau.

YELLOW: 5 15 ST BH 29

Attachment to a memo from Mr. Belmont to Mr. Boardman dated April 29, 1955, same caption.

EBR:nbs
(5)

- Folsom
- Boardman
- Nichols
- Belmont
- Harbo
- Mohr
- Parsons
- Rosen
- Tamm
- Sizoo
- Winterrowd
- Tele. Room
- Holloman
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This Bureau would prefer not to be consulted prior to the showing of FBI reports to informant-witnesses as the final decision to adopt such a procedure is one which must be made by the Department.

This Bureau has pointed out on many occasions and repeated again in its memorandum of April 15, 1955, the possible consequences of such a procedure as you have decided to adopt in allowing informant-witnesses to review their reports before they take the witness stand. It was not until you pointed out "that in many instances in Smith Act prosecutions, extremely valuable evidence has been lost" because of this Bureau's previously expressed policy of objecting to the procedure of allowing informant-witnesses to review their reports, did we take the position of leaving exclusively to the Department the decision to adopt such a procedure which may well result in introduction into evidence of a large number of FBI reports containing highly confidential matters directly affecting the internal security coverage and responsibilities of this Bureau. This Bureau certainly does not desire to share any part of the responsibility in the determination of which reports may be made available to informant-witnesses for review prior to trial as any objection upon the part of this Bureau would place us in the untenable position of placing "unusual burdens and responsibilities on trial attorneys" and causing the loss of "extremely valuable evidence" as you indicated in your memorandum of April 7, 1955.

COPIES ARE BEING PREPARED FOR ATTORNEY GENERAL
AND ROGERS.

grr

~~CONFIDENTIAL~~

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. L. V. Boardman *LB*DATE: April 29, 1955 *an*FROM : Mr. A. H. Belmont *AB*SUBJECT: CONFIDENTIAL REPORTS MADE TO THE BUREAU BY CONFIDENTIAL INFORMANTS

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Boardman	_____
Nichols	_____
Belmont	_____
Harbo	_____
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HEREIN IS UNCLASSIFIEDDATE 6-22-82 BY 7132 SE/cic/yp
- 208,723SYNOPSIS:

By memorandum dated April 26, 1955, in response to Bureau memorandum to the Attorney General dated April 15, 1955, the Department indicated it would continue present policy of not allowing informants to review their written reports prior to testifying in Smith Act or other Internal Security cases except on a selective basis and only after all aspects of the situation have been thoroughly explored both by Departmental attorneys and representatives of the Bureau. The Director noted he did not want this done; that Department must accept entire responsibility and Bureau will not agree or disagree; that it should be made clear to the Department that the Bureau does not desire to pass upon the desirability of allowing informant-witnesses to review their reports, and the Bureau will not express any views.

When a defense demand has been made for the production of informant reports in past Smith Act or other Internal Security prosecutions, the Bureau has always stressed to the Department that decisions as to whether reports should be furnished to the judge who might in turn give them to defense counsel, is strictly a decision for the Department to make. We have always reviewed such reports at the Bureau to determine if current confidential informants are mentioned; if information pertaining to national security is included, or if reports contain data which might prove embarrassing to the Government. We have

Enclosure

cc: Mr. Boardman
Mr. Belmont
Mr. Baumgardner
Mr. ReddyEBR:nbs:ima
(5)

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then delivered copies of the reports to Departmental attorneys and have pointed out whether the reports contain any of the information listed above and have again stressed that regardless of what the reports contain, the decision as to whether they are to be turned over to the judge rests solely with the Department. It is noted, however, that we are in a much better position to evaluate our informant reports than are Departmental attorneys and consequently we can point out possible pitfalls or data which the Department may request the judge to excise should the judge decide to make the reports available to defense counsel.

With reference to the current problem of whether or not informant-witnesses should be allowed to review their informant reports prior to testifying, this is, of course, a decision which rests solely with the Department just as the decision as to whether to furnish informant reports to the trial judge. It is felt, however, that the Bureau should in each instance determine in advance from the Government attorney who has interviewed the informant and reviewed the reports exactly which specific reports of the informant-witness he intends to allow him to review prior to testifying. Such reports will be reviewed at the Bureau and will then be delivered to the Department so that a decision can be reached by the Department as to whether the informant should be allowed to review them. It is felt that the Bureau has the responsibility, at that time, to point out to the Department any pertinent information known to us which the Department should consider in arriving at its decision. We will, of course, make completely clear to the Department that the decision as to whether the informant should be allowed to review these reports prior to testifying rests solely with the Department and that the Bureau will in no way pass on the desirability or undesirability of allowing the informant-witness to review the reports in question.

RECOMMENDATION:

If you approve, the attached memorandum should be transmitted to the Department so advising.

I think we should point out that the entire responsibility must rest with the Dept.

I don't think we should do this

✓
I certainly agree.
F. J. [unclear]
[unclear]

4.29

- 2 -

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

APR 29 1955

TELETYPE

Mr. Tolson	_____
Mr. Boardman	_____
Mr. Nichols	_____
Mr. Belmont	_____
Mr. Harbo	_____
Mr. Mohr	_____
Mr. Parsons	_____
Mr. Rosen	_____
Mr. Tamm	_____
Mr. Sizoo	_____
Mr. Winterrowd	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

FBI RICHMOND 4-29-55 4-27 PM EST VLC

DIRECTOR, FBI URGENT

~~DEF-COMMUNISERS~~
INTERVIEWS OF INFORMANTS AND WITNESSES BY GOVERNMENT ATTORNEYS UNDER
SECURE CONDITIONS IN SECURITY TYPE CASES. RE TELEPHONE CALL FROM
BUREAU THIS MORNING. A CHECK OF OUR RECORDS FAILS TO REFLECT THERE
HAVE BEEN ANY SECURITY TYPE CASES WHEREIN AN INFORMANT OR
PROSPECTIVE WITNESS IN SUCH A CASE HAS BEEN INTERVIEWED BY
GOVERNMENT ATTORNEYS UNDER SECURE CONDITIONS. THE ONLY INFORMANT
IN WHICH THIS OFFICE HAS HAD INTEREST WHO HAS TESTIFIED BEFORE ANY
PROCEEDING IS [REDACTED] FORMER [REDACTED]

[REDACTED] BUFILE ONE HUNDRED DASH THREE EIGHT
NAUGHT ONE NAUGHT SEVEN. [REDACTED]

[REDACTED] THIS INDIVIDUAL FURNISHED INFORMATION
PRIMARILY TO [REDACTED]

[REDACTED] HOWEVER, THIS OFFICE HAS NO INFO
INDICATING HE HAS EVER BEEN INTERVIEWED BY GOVERNMENT ATTORNEYS
UNDER SECURE CONDITIONS. IT WILL BE NOTED THAT LOYALTY CASES IN
ALEXANDRIA, ARLINGTON AREA ARE HANDLED BY THE WFO.

GALE
END MAY 13 1955
Mr. Belmont

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525P OK FBI WA MS

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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

APR 29 1955

TELETYPE

Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. Harbo	
Mr. Mohr	
Mr. Parsons	
Mr. Rosen	
Mr. Tamm	
Mr. Sizoo	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

WASHINGTON 3 FROM BALTO

29

5-51 PM EDST

DIRECTOR

ATTENTION

MR. FRED J. BAUMGARDNER

U R G E N T

0 EX-COMMUNISTS

INFORMANTS USED AS WITNESSES IN SECURITY CASES. RE PHONE CALL

FROM MR. FRED J. BAUMGARDNER, DIV. FIVE, TO BA THIS DATE.

IN CONNECTION WITH BA SMITH ACT TRIAL INSTRUCTIONS RE INTERVIEWS
OF PROSPECTIVE WITNESSES WERE CONTAINED IN BULETS DATED FIVE
THIRTYONE, SIX THIRTEEN, SEVEN SIX, NINE TWELVE, OF NINETEEN
FIFTYONE, AND ONE FIVE FIFTYTWO UNDER CAPTION QUOTE CP, USA DASH
BRIEF PARENS PROSECUTION OF ADDITIONAL COMMUNIST FUNCTIONARIES
UNDER SMITH ACT PARENS IS DASH C UNQUOTE, BUFILE ONE HUNDRED
DASH THREE DASH SEVENTYFOUR AND ALSO IN SAC LETTERS NUMBERED
EIGHTY EIGHT, NINETY SEVEN, ONE HUNDRED AND TWO DATED NINE ONE
NINE TWENTYNINE. AND TEN THIRTEEN FIFTYONE, RESPECTIVELY. THE
FOLLOWING WITNESSES WERE INTERVIEWED. [REDACTED] ON TWELVE
FIVE AND TWELVE SIX FIFTYONE AT BA PO BY DEPARTMENTAL ATTORNEY
THOMAS HALL AND SAS EDWARD GOUGH AND JAMES V. SULLIVAN, PAUL
CROUCH INTERVIEWED AT BA PO ON TWELVE SEVEN FIFTYONE BY MR. HALL,
AGENTS GOUGH AND SULLIVAN, AND DEPARTMENTAL ATTORNEY WILLIAM
C. HUNDLEY, [REDACTED] INTERVIEWED ON TWELVE SEVENTEEN
FIFTYONE AT BA PO BY MESSRS. HALL, HUNDLEY, GOUGH, AND

END PAGE ONE

RECORDED - 111

Mr. Belmont

81 MAY 13 1955

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PAGE TWO

SULLIVAN, [REDACTED] WAS INTERVIEWED ON TWELVE TWELVE FIFTYONE BY MESSRS, HALL, HUNDLEY, GOUGH, AND SULLIVAN AT BA PO, [REDACTED] WAS INTERVIEWED TWELVE ELEVEN FIFTYONE BY MR. HUNDLEY AT HOTEL KNICKERBOCKER, NYC, FRANK STRAUS MEYER WAS INTERVIEWED ON ONE SEVEN FIFTYTWO BY MESSRS. HUNDLEY AND GOUGH AT MEYERS HOME IN WOODSTOCK, NY, [REDACTED] WAS INTERVIEWED ON ONE TWO FIFTYTWO BY DEPARTMENTAL ATTORNEY GEORGE ANASTOS AND SA JOHN O. MONTGOMERY AT COFFEE SHOP OF LORD BALTIMORE HOTEL, [REDACTED] WAS INTERVIEWED ON ONE THREE FIFTYTWO AT BA OFFICE BY DEPARTMENTAL ATTORNEY KEVIN MARONEY AND SAS RAYMOND JONES AND ROBERT L. LANPHEAR [REDACTED] WAS INTERVIEWED BY MESSRS. HALL AND HUNDLEY WITH UNKNOWN AGENTS OF WFO AT WFO IN DEC. FIFTYONE AND ON ONE THIRTYONE AND TWO ONE FIFTYTWO AT THE BA FIELD OFFICE BY THE SAME INDIVIDUALS, TOGETHER WITH SA JOHN DEBETTENCOURT OF WFO AND NUMEROUS SAS OF BA OFFICE, [REDACTED] FORMER [REDACTED] WAS INTERVIEWED BY MR. ANASTOS AND NUMEROUS AGENTS OF NY OFFICE AT NYC HOTEL ON ONE EIGHTEEN FIFTYTWO, [REDACTED] WAS ALSO INTERVIEWED BY DEPARTMENTAL ATTORNEY RICHARD ALFRIEND AT NYC HOTEL ON TWO TWENTYSEVEN AND TWO TWENTYEIGHT FIFTYTWO, [REDACTED] WAS INTERVIEWED AT WFO ON ONE FOURTEEN FIFTYTWO, BY UNKNOWN INDIVIDUALS, FORMER [REDACTED] WAS INTERVIEWED ON ONE SEVEN FIFTYTWO BY MESSRS. MARONEY AND MONTGOMERY

END PAGE TWO

PAGE THREE

AT BA PO, FORMER [REDACTED] WAS INTERVIEWED ON TWELVE THIRTEEN FIFTYONE, TWELVE TWENTYEIGHT FIFTYONE, AND ONE EIGHT FIFTYTWO BY MESSRS. MARONEY, GOUGH, AND SA RUSSELL D. JONES IN BUREAU AUTOMOBILE IN BA [REDACTED] FORMER

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[REDACTED] WAS INTERVIEWED TWELVE NINETEEN AND TWENTY FIFTYONE AND ONE FIVE FIFTYTWO AT BA PO BY MESSRS.

MARONEY, MONTGOMERY, AND RAYMOND JONES, FORMER [REDACTED]

[REDACTED] WAS INTERVIEWED ON TWELVE NINETEEN FIFTYONE AT SOUTHERN HOTEL IN BA BY MESSRS. ANASTOS, SULLIVAN, AND SAJOSEPH C.

TRAINOR, [REDACTED] WAS INTERVIEWED ONE TEN, ELEVEN, FOURTEEN, SIXTEEN, TWENTYONE, TWENTYTHREE, AND TWENTYEIGHT FIFTYTWO BY MESSRS. MARONEY, ANASTOS, AND NUMEROUS AGENTS OF THE BA OFFICE IN BU AUTOMOBILE, BALTIMORE HOTEL, AND BA FIELD OFFICE. NO INTERVIEWS CONDUCTED NEAR DISTRICT OF COLUMBIA AS INDICATED IN NEWS ARTICLE.

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END BA R 4 WA E J N

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DATE 6-22-82 BY 7158 SA/CIS/SP
205/723

May 11, 1955

MEMORANDUM FOR MR. TOLSON
MR. BOARDMAN
MR. BELMONT
MR. NICHOLS

Ex-Communist as witness

During the course of a conference with the Attorney General and the Deputy Attorney General yesterday afternoon incident to the Arthur Sylvester article in the "Newark Evening News," I pointed out that the Bureau was not adamant in its adherence to established practices which it had followed and I cited particularly the recent memorandum addressed to the Attorney General by Assistant Attorney General Tompkins and which was referred to this Bureau concerning the making available to confidential informants copies of their reports to the Bureau in order to refresh their recollection. I stated that the Bureau had very promptly replied and stated that it would not raise any further objection to the suggested procedure of Assistant Attorney General Tompkins in view of the fact that the Internal Security Division had observed in its memorandum to the Attorney General that "unreasonable burdens" had been placed upon the attorneys of the Internal Security Division and "valuable evidence" had been deprived of use in prosecutions by reason of the Bureau's policy of not making reports of informants available for review by proposed informant witnesses. I stated that the Bureau had deferred to the Department's suggestion in this matter, notwithstanding the fact that the Bureau felt that this would be opening the floodgates for the introduction of FBI reports in Smith Act cases, which would result not only in gross embarrassment to the Department but materially impair the security coverage of the FBI.

I further observed to the Attorney General that Assistant Attorney General Tompkins' memorandum had failed to be specific as to the "valuable evidence" of which the Internal Security Division had been deprived and that I personally seriously doubted that there were many instances or, in fact, any instances which would support such a contention.

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Boardman _____
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Belmont _____
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Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____

The Attorney General stated that he had asked the Deputy Attorney General earlier to look into this matter after receiving my memorandum and the Deputy Attorney General advised that he had conferred with Assistant Attorney General Tompkins about this matter on yesterday and that it was agreed by Assistant Attorney General Tompkins that there would hardly

50 MAY 13 1955

SENT FROM D. O.
TIME 12:17 PM
DATE 5/11/55
BY RLW

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Memorandum for Messrs. Tolson, Boardman,
Belmont, Nichols

May 11, 1955

be any cases in which it would be necessary for FBI reports to be shown to informants to refresh their recollection. The Attorney General observed he could not see why the attorneys handling Smith Act cases could not themselves, by discussion and conversation with proposed informant witnesses, refresh their recollections of the same without actually showing the FBI reports to the informants in view of the fact that the attorneys do have access to all such reports made to the FBI. I observed that this was exactly the view of the FBI and that if the attorneys handling such cases did the necessary "home work" before talking to the proposed informant witnesses, there would be no need of showing the actual reports to the informants which, if done, would no doubt result in the introduction of the reports during the course of the trial of the case.

The Deputy Attorney General stated that in conference with Assistant Attorney General Tompkins it had been agreed that afternoon that in view of the fact there would be very few instances when it might be deemed advisable for an FBI report to be shown to an informant, that such instances would be carefully weighed by the Department and the Bureau before the final decision was reached as to showing the report to the informant witnesses. I observed the Bureau had already indicated it desired to have no part in reaching the decision as to whether a report was or was not to be shown to proposed informant witnesses in view of the accusations made against this Bureau by Assistant Attorney General Tompkins that we had obstructed proceedings of justice by our previous objections.

During the course of this conference yesterday afternoon, I also observed to the Attorney General that the Bureau had, during the course of the last several years, made available to the Department approximately 60 confidential informants for use in public trials and that this was a very serious blow to the internal security coverage of the FBI. I stated, of course, it was not the responsibility of this Bureau to determine which was the most important, namely, initiating numerous prosecutions under the Smith Act or balancing the same as to the importance of security coverage by the FBI so as to enable that organization to meet its responsibilities in the event of war. The Attorney General was somewhat surprised at the large number of informants who had been made available and indicated that he believed that there must be a very careful evaluation before initiating Smith Act prosecutions and a careful weighing of the value of the same as balanced against the necessity for internal security coverage.

Memorandum for Messrs. Tolson, Boardman,
Belmont, Nichols

May 11, 1955

I observed to the Attorney General that I had always thought this should have been done and I did not believe it had been done and, as a consequence, the Department must accept the responsibility if, in the event of war, there is a wave of sabotage or espionage and the FBI had been unable to cope with the situation because, in being deprived of such a large number of confidential informants, it was obvious that the FBI should not be expected and could not be expected to properly meet its responsibilities in the internal security field.

The Deputy Attorney General stated that he thought it was imperative that henceforth there be a very careful evaluation before the disclosure of FBI informants. He observed that there was no one in the Department who could have a proper appreciation of the intelligence interests involved and that quite likely there had been over-emphasis on criminal prosecutions without due evaluation of the intelligence values that might be impaired by exposure of FBI informants.

The Attorney General stated that he believed it would be desirable henceforth, and he so directed the Deputy Attorney General to arrange, that before any Smith Act prosecutions are to be initiated that they must be approved by the Attorney General as is done in Antitrust cases. He stated the reason for having all Antitrust proposed prosecutions passed upon by him is in order to avoid any conflict or prejudicing of interests of other Government agencies and he believed there was a similarity of the problem in connection with the initiation of Smith Act cases which certainly involved the interests of the FBI's internal security responsibilities.

Very truly yours,

sig. J. E. H.

John Edgar Hoover
Director

JEH:eff (7)
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Orig & dupl

1 - Roger
1 - Tompkins
1 - yellow
1 - Mr. Boardman
1 - Mr. Belmont

April 29, 1955

1 - Liaison Section
1 - Mr. Daunt

THE ATTORNEY GENERAL

100-418105-V

DIRECTOR, FBI

FUND FOR THE REPUBLIC;
GEORGETOWN UNIVERSITY

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We have been advised that

Georgetown University, have been contacted by the Fund for the Republic and requested to conduct a research study looking into the reliability of certain Government witnesses used in security-type cases such as Elizabeth T. Bentley, Louis F. Budenz and Whittaker Chambers. This study is reportedly to be based upon the public record only looking toward any inconsistencies in the testimony of the above witnesses and the weight of credibility that can be placed in them.

The University has been offered \$75,000 to \$100,000 to conduct this study over a period of one year. We have been informed that the University is presently considering the advisability of undertaking such a study. The offer made by the Fund for the Republic is to be presented to the Faculty Committee of the University for a decision on April 29, 1955.

The above is for your information. You will be kept advised of any further developments in this matter.

1 - Mr. William P. Rogers
Deputy Attorney General

1 - Assistant Attorney General
William F. Tompkins

Tolson
Boardman
Nichols
Belmont
Glavin
Harbo
Rosen
Tamm
Tracy
Mohr
Winterrowd
Tele. Room
Holloman
Miss Gandy

MAILED 2 MAY 3 1955

5 MAY 17 1955

MAILED 2 MAY 9 1955
COMM - FBI

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Handwritten signature and initials

RECEIVED DIRECTOR
MAY 17 1955

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FBI
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ORIGINAL FILED IN 100-89169-85

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. A. H. Belmont

DATE: April 26, 1955

FROM : R. R. Roach

ALL INFORMATION CONTAINED
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DATE 10-13-99 BY 60267 NIS/EPD

401820

SUBJECT: FUND FOR THE REPUBLIC;

GEORGETOWN UNIVERSITY

EX-Communists As Witnesses

Charles Noone, Director of Security, U. S. Information Agency, advised Liaison Agent J. J. Daunt on April 25, 1955, that he had been contacted by [redacted]

[redacted] Georgetown University that date. [redacted] advised Noone that the Fund for the Republic had requested them to conduct a research study looking into the reliability of certain government witnesses used in security-type cases, such as Bentley, Budenz and Chambers. This study is to be based upon the public record looking toward any inconsistencies in the testimony of the above witnesses and the weight of credibility that can be placed in them.

Noone was advised that the University had been offered 75 to 100 thousand dollars to conduct this study over a period of one year. [redacted] advised Noone that they intended to discuss the advisability of conducting such a study with the University heads that date. Noone stated he pointed out to [redacted] the controversial nature of such a project, especially in view of restricting the study to public information. He pointed out that the informants themselves should at least be given the benefit of an interview, which was agreed to by [redacted]. The latter were particularly anxious to locate a staff director for such a study and queried Noone for someone he could recommend. [redacted] felt they should have a staff director who has not been engaged in security-type work, but who has an open mind and sound judgment.

According to Noone, he is very friendly with [redacted] and is in position to make recommendations to these people in the event such a study is undertaken by them.

ACTION

NOT RECORDED
176 MAY 3 1955

21 MAY 3 1955

For your information. Liaison will follow discreetly with Noone.

JJD:jlf
(5)

- 1 - Mr. Belmont
- 1 - Mr. Nichols
- 1 - Liaison Section
- 1 - Mr. Daunt

Tolson _____
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Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. Harbo	
Mr. Mohr	
Mr. Parsons	
Mr. Rosen	955
Mr. Tamm	
Mr. Sizoo	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

May 3,

Mr. Tompkins

Herbert Brownell, Jr.

Informants used as Witnesses in Security Cases.

CEX - COMMUNISTS AS WITNESSES

I am attaching a memorandum to me from the Director of the FBI dated April 29, 1955, on the above subject. I presume there is no way of finding out the name of the Department of Justice lawyer who is said to have made certain statements quoted in the clipping to Arthur Sylvester of the Newark Evening News. I am sending a copy of this memorandum to Mr. Hoover, so that if either of you have any suggestions to make as to how to handle this particular matter I would be glad to get them.

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cc - Mr. Hoover

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11 MAY 11 1955

EXP. PROC.

MAY 3 1955

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CONFIDENTIAL

cc - Mr. Nichols
Mr. Boardman
Mr. Belmont
Mr. Dine

THE ATTORNEY GENERAL

April 20, 1955

DIRECTOR, FBI

DECLASSIFIED BY 7659 SE/uc/j
ON 6-22-82 200/723

INFORMANTS USED AS WITNESSES
IN SECURITY CASES

Ex-Communists as witnesses

Attached hereto is a Photostat of an article entitled "Secret Witnesses Problem in Loyalty Program Test" which appeared in the "Newark Evening News," Newark, New Jersey, on April 22, 1955. The article attributes comments to a Departmental attorney concerning the Bureau's procedure in making confidential informants available for interview by Departmental attorneys. Newark News

The Bureau's procedure with reference to making potential witnesses available for interview by Government attorneys in security-type cases has been followed since the first Red Roth Smith Act trial in 1949. This procedure has withstood the test of numerous successful cases and the Department has never indicated that it has caused Departmental attorneys any inconvenience. During numerous conferences held by Bureau representatives with Departmental officials and attorneys, no difference of opinion has ever been expressed concerning this established procedure.

In connection with Smith Act and other security-type cases, the Bureau submits to the Department investigative and prosecutive summary reports wherein T symbols are used only where it is absolutely necessary to protect the informant or source. Complete information furnished by such informants and sources is, of course, set out in the reports. Should the Department consider prosecution under any existing statute, Departmental attorneys select from those reports those T symbol informants who appear to be desirable or necessary witnesses and an inquiry is made of the Bureau as to the availability to testify of such T symbol informants.

Attachment to memorandum to Mr. Boardman from Mr. Belmont, 4-28-55, same caption

APR 29 1955

COMM - FBI

BAUMGARDNER

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The Bureau's reply to the inquiry by the Department may fall within any of the following categories:

(a) If the informant is a current, valuable informant whose exposure would seriously impair security coverage in the field office involved, the Department is advised that this informant is not available for interview. If the Department subsequently states that the informant is absolutely essential to a successful prosecution, we reconsider and re-evaluate the situation and, where possible, we make the informant available.

(b) If the informant has been discontinued but has not been exposed as a former Bureau informant, the Department is advised that he is available for interview under appropriate security precautions. His name is not disclosed at this point since the Department may ultimately decide not to utilize him.

(c) If the informant has been discontinued and exposed as a former Bureau informant, his identity is furnished to the Department and the Department is advised that he is available for interview.

(d) If the T symbol represents an individual who has never been a confidential informant of the Bureau but who requested that his identity be kept confidential, he is first contacted by a Bureau Agent to determine his willingness or unwillingness to be interviewed by Government attorneys. If he is willing to be interviewed, his name and the fact that he is available for interview are made known to the Department. If he does not desire to be interviewed, the Department is advised that he is unavailable.

It is true that interviews with current informants and discontinued informants who have not been exposed are conducted under security precautions and the informant is introduced under an alias. This procedure is followed solely to preserve the informant as a surprise witness should he actually testify and to protect his identity and future value should the Department decide not to utilize him as a witness. Departmental attorneys have actually stated that they do not desire to know the identity of the informant until a decision is made to use him as a witness since they do not want to be burdened with this additional security responsibility.

- 2 -

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~~CONFIDENTIAL~~

A continuing intensive campaign is conducted by the Communist Party to uncover FBI informants. The Bureau knows, for example, that the Communist Party places its own members under surveillance in an attempt to ferret out our informants. Unless, therefore, interviews between informants and Government attorneys are conducted with the utmost security as to location and timing, the informants will be uncovered.

It is true that a Bureau Agent is present during the interview with the informant by Government attorneys. The Bureau Agent is present solely to introduce the informant to the attorneys and to put him at ease. It is also true that the Bureau Agent does not assist in the interview since this is strictly a matter for the Government attorneys to handle.

It is difficult for me to understand why an attorney of the Department of Justice would air his complaints to the press rather than call his views to the attention of this Bureau.

1 cc - Mr. William P. Rogers
Deputy Attorney General

(with enclosure)

1 cc - Assistant Attorney General
William F. Tompkins

(with enclosure)

1 cc - Assistant Attorney General
Warren E. Burger

(with enclosure)

~~CONFIDENTIAL~~

ENCLOSURE

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Secret Witnesses Problem In Loyalty Program Test

By ARTHUR SYLVESTER

Washington Bureau.

WASHINGTON — Justice Department trial lawyers were sympathizing today with U.S. Supreme Court concern at being blocked from examining secret information in a test of the federal loyalty-security program.

Atty. Gen. Brownell's own legal experts often have to go through amazingly involved procedures imposed by the FBI in order to prosecute cases involving derogatory information dug up by Director J. Edgar Hoover's agents. Hoover's power to determine who may be called by the Justice Department as a witness and who may not, has confounded lawyers accustomed to free and easy cooperation by police agencies when trying cases at lower levels of government.

Chief Justice Earl Warren and other members of the high court were surprised Wednesday to learn from Asst. Atty. Gen. Warren E. Burger they were not free to look at certain information they considered material in the appeal of Dr. John P. Peters of Yale University to confront the unidentified accusers who brought about his dismissal from government service. The justices pressed Burger to produce the information on which the government acted so the court could determine whether the government was justified in withholding it from Dr. Peters.

Issue in Case

Burger insisted that was part of the issue in the case. "It would take a Presidential order to release that information to anyone outside the Executive Branch," Burger said. The government acknowledges that even the Civil Service Loyalty Review Board which sat in judgment on Dr. Peters did not know the identity of all the secret infor-

That question was echoed by a Justice Department lawyer who recently had to prosecute a case involving loyalty information under circumstances made fantastically difficult by FBI demands for what amounted to cloak-and-dagger methods.

Forecasts Curb

"You would have thought I was the counsel for the Communists, not the government prosecutor," the Justice Department official recalled. "I have never experienced anything like it in my life. It's an unbelievable way of doing business and I think Atty. Gen. Brownell will be forced to put a curb on Hoover's nonsense."

The department prosecutor told how he was assigned to the case "cold." But instead of being aided by the FBI in preparing the government's case he found his work made more difficult.

"The FBI sends you a list of possible government witnesses the agency has at its command. They aren't identified by names but by symbols and numbers. With each is a summary of what the witness can testify to and an evaluation of his credibility. The ratings range from good to bad."

Request Sent

"On the basis of this meager information, you try to figure out which of the witnesses you would like to talk to in an effort to build your court case. So you indicate those you would like to talk to and send the request along through channels to Director Hoover. If he sees fit to grant the request arrangements are made for you to meet the proposed witness."

"At this point the fun really begins. Not only do these witnesses have assumed names, and it's under assumed names and it's under these names that I, as a government prosecutor, first meet them, I am allowed to.

"Now if Mr. Hoover decides you may talk with the government witness you have asked to see it probably won't be in a Justice Department office. Oh no! You will have to meet him in a motel in Maryland or Virginia, or in an automobile just outside the District of Columbia line. It makes you feel more like arranging a contact with a lottery operator than preparing to represent the government of the U.S."

FBI Man Present

"That isn't all. You can't even talk to these witnesses without an FBI man always being present. It's not that he does anything to help you organize your case or material, quite the contrary. I know it sounds unbelievable, but that's the way it is and there's more of the same. I know because I have been through it."

The reason given by Asst. Atty. Gen. Burger to Justice Frankfurter why the government is so secretive with its own instruments was that some informants decline to provide information to the FBI unless they are assured their identity will not be disclosed to other agencies. He said the government has no choice.

"I suggest," retorted Frankfurter, "that there is such a choice as not using such an informant... if you can't trust another tribunal with the information."

"All I know," said the Justice Department prosecutor, "is there's a better way of doing it than the FBI has now. For one thing a little less of this excessive FBI secrecy and we wouldn't be stuck with these turn-about witnesses."

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. L. V. Boardman

DATE: May 9, 1955

FROM : Mr. A. H. Belmont

SUBJECT: DEPARTMENTAL COMMITTEE ON
SECURITY WITNESSESALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-99 BY 60267 NIS/EP/DD

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Nichols	_____
Belmont	_____
Harbo	_____
Mohr	_____
Parsons	_____
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Winterrowd	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

My memorandum of April 29, 1955, advised you that Mr. Mario Noto, Immigration and Naturalization Service representative on the above committee had advised me that the committee would furnish the minutes to the Bureau for its information. The minutes of the first six meetings of the committee were received on May 2, 1955. The minutes of the first meeting, held on April 6, 1955, are being reviewed by separate memorandum.

The minutes which have been received have been reviewed and matters of interest are set out below under the date of the particular meeting at which discussed.

April 12, 1955

The committee adopted a proposal that prosecutors of Government cases should be instructed to report to the local field offices of FBI and INS any adverse information developed on a witness during the proceedings. It had previously been agreed that Government prosecutors would check local FBI and INS records concerning prospective witnesses prior to their use and this was reiterated. (This has been made the subject of a separate memorandum.)

The committee discussed the problem of assuring the availability of persons whose testimony has been regularly used in the past. (It is presumed that the committee had in mind such persons as Maurice Malkin, Ben Gitlow, [redacted] and [redacted]). Among the alternatives suggested were assuring such individuals that they would be needed a minimum time monthly, such as twenty days, for a period of up to two years; attempting to have one of the public foundations establish a fund to assure that the persons would have an income when not testifying; attempting to procure employment with public-spirited organizations.

cc - Mr. Boardman
cc - Mr. Belmont
cc - Mr. McInturff

100-418105
RECORDED - 73
EX-15

EX - 15

10 MAY 16 1955

36 MAY 25 1955

5 ENCL. 13
last minutes

-5

April 14, 1955

At this meeting, Mr. Noto was designated chairman of the committee. The committee discussed a number of ex-Communists who have been used as witnesses; however, no decision was reached concerning the future use of those persons discussed. Among those discussed were Matthew Cvetic, [redacted] Louis Budenz and others.

April 19, 1955

The committee discussed the derogatory information available regarding Matthew Cvetic and deferred decision as to his future use as a Government witness.

April 21, 1955

The committee discussed the future use of Matthew Cvetic and recommended that Cvetic not be used as a Government witness unless in a specific case what he will testify to is essential and is corroborated from independent sources. Decision to use Cvetic shall be the responsibility of the using division.

The committee reviewed information furnished by INS concerning Earl Reno and recommended that he be cleared for use as a witness.

April 26, 1955

The committee reviewed information available concerning Ben Gitlow and recommended that he be cleared for use as a Government witness.

The committee reviewed information concerning [redacted] and concluded that [redacted] may be used at any instance in which he is a desirable and material witness and what he will testify to is corroborated.

RECOMMENDATION:

This is for your information. You will be kept advised of the activities of the above committee.

✓
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John 812

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7/23/71
D

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. A. H. Belmont

DATE: May 6, 1955

FROM : Mr. F. J. Baumgardner

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Boardman _____
Nichols _____
Belmont _____
Harbo _____
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Parsons _____
Rosen _____
Tamm _____
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Winterrowd _____
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Gandy _____

SUBJECT: TREASON MATTERS

EX Communists As Witnesses

Reference is made to the Washington News Service release of May 5, 1955, reporting that Assistant Attorney General William F. Tompkins in his appearance before the Senate Appropriations Subcommittee stated that the number of "cases of possible treason" referred to the Department had now reached 218. Mr. Nichols asked if we have these 218 cases. This statement of Tompkins was commented upon in your memorandum to Mr. Boardman dated April 13, 1955, captioned "Review of Testimony of Warren Olney III and William F. Tompkins, Department Officials, Before Committee on Appropriations - 1956."

These cases arose out of the referral to us by G-2 of counterintelligence files reflecting evidence of possible treasonous conduct by the subjects developed through Army investigation and interrogation of returned Korean prisoners of war. They were reviewed by us and referred to the Department for an opinion as to whether the alleged activities constituted overt acts of treason within the meaning of the Treason Statute and, therefore, warranted investigation. The number of cases referred was substantially correct as of the date Tompkins' testimony was given. Since then, however, the Department has from day to day completed its reviews of the cases referred and rendered its decisions. In all except three cases thus far reviewed, the Department has advised that the evidence does not indicate overt acts of treason provable by the testimony of two witnesses required by the Constitution and, therefore, does not warrant investigation. The three cases are being investigated.

Our records reflect that, as of May 6, 1955, there were still 172 cases in this category under consideration by the Department and this figure is diminishing day to day as the Department's decisions are received.

RECOMMENDATION:

It is recommended that this memorandum be routed to Mr. Nichols for his information.

attached
Enclosure

cc - Mr. Nichols
Mr. Boardman
Mr. Belmont

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176 MAY 17 1955

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60 MAY 19 1955

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-99 BY 60267NIS/EP/100
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ORIGINAL FILED IN 100-418105-1

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: May 17, 1955

FROM : MR. F. J. BAUMGARDNER

SUBJECT: DEPARTMENTAL COMMITTEE ON SECURITY WITNESSES

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 10-14-99 BY 60267NIS/EP/DD

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The minutes of the meetings of the above Committee on April 28, May 3, and May 10, 1955, have been reviewed and the following items of interest noted:

MEETING OF APRIL 28, 1955

The Committee considered proposed instructions to United States attorneys and Immigration and Naturalization Service (INS) field offices relating to the use of ex-Communists as witnesses. Decision was deferred as to the form and nature of instructions to be issued.

MEETING OF MAY 3, 1955

The Committee considered the general matter of the payment of fees and expenses to witnesses. Further consideration of the matter was placed on the agenda for the May 5, 1955, meeting.

Further discussion was had regarding instructions to be issued to United States attorneys and INS field offices relating to the use of ex-Communists as witnesses. Decision was deferred as to the form and nature of instructions to be issued.

MEETING OF MAY 10, 1955

The Chairman of the Committee stated that he had advised the Deputy Attorney General that the Committee had considered the Bureau's memorandum of April 28, 1955, concerning [redacted] and had concluded that it contained no information that had not previously been considered by the Committee. The Committee concluded that [redacted] may be used as a Government witness in any

cc: Mr. Boardman
Mr. Belmont
Mr. McInturff

GFMc:DE (4)

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65 MAY 27 1955

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EX-115

100-118105-34
24 MAY 23 1955

Mr. Tolson	_____
Mr. Boardman	_____
Mr. Nichols	_____
Mr. Belmont	_____
Mr. Harbo	_____
Mr. Mohr	_____
Mr. Parsons	_____
Mr. Rosen	_____
Mr. Tamm	_____
Mr. Sizoo	_____
Mr. Winterrowd	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

b7D

MEMORANDUM FOR MR. BELMONT, 5/17
(CONTINUED)

instance in which he is a desirable and material witness and what he will testify to is corroborated.

The Committee considered the use of Maurice Malkin as a possible witness in the future and concluded that Malkin may be used as a Government witness in any instance in which he is a desirable and material witness and what he will testify to is corroborated.

ACTION

None. This is for your information. We will continue to review the minutes of this Committee as received.

✓
GMAV S JRB
A

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. L. V. Boardman

DATE: May 16, 1955

FROM : Mr. A. H. Belmont

SUBJECT: INFORMANTS MADE AVAILABLE TO
THE DEPARTMENT

Tolson _____
Boardman _____
Nichols _____
Belmont _____
Harbo _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
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Gandy _____

In accordance with the request of Mr. Nichols there is set out below the types of cases in which the Department has exposed 53 of our informants by using them as witnesses. As mentioned previously by Mr. Nichols this compilation is based upon a canvass of Bureau Supervisors. Mr. Nichols pointed out that there is a possibility that there may be a few others but to determine this would necessitate checking the files of all discontinued confidential informants which would be an extensive research project. It was not recommended that the latter be done.

<u>Type of Case</u>	<u>Number of Informants</u>
Smith Act Prosecutions	33
Hearings Before Subversive Activities	15
Control Board in Following Cases	
Labor Youth League	
Veterans of the Abraham Lincoln Brigade	
Civil Rights Congress	
Jefferson School of Social Science	
National Council American Soviet Friendship	
Labor Management Relations Act	3
Prosecution of Leaders and Members of	2
Nationalist Party of Puerto Rico	
Total	53

ENCL.

In addition to the above we are in the process of making available one additional informant to INS in connection with deportation proceedings relating to Chinese.* With regard to INS cases it has been our policy to extend complete cooperation to that Agency and there may have been instances in the past when we have made available nonactive informants not previously exposed for use by that Agency. As a result of our poll it has not been possible to determine the names of any such informants, or of any active informants.

ACTION:

It is recommended that this be routed to Mr. Nichols for his information.

*See next page.

cc - Mr. Nichols
Mr. Boardman
Mr. Belmont
Mr. Kelly
Mr. Hennrich
Mr. Baumgardner
Mr. Donohue

JDD:aje (8)

INT SEC

Office Memorandum • UNITED STATES GOVERNMENT

TO : A. H. Belmont

DATE: May 13, 1955

FROM : C. E. Hennrich

SUBJECT: INFORMANTS MADE AVAILABLE TO THE DEPARTMENT

Tolson _____
Boardman _____
Nichols _____
Belmont _____
Harbo _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
 Sizoo _____
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Gandy _____

At the request of Mr. Nichols earlier this week a compilation of informants, which the Bureau has made available to the Department in connection with prosecution of various types of cases, was made. Mr. Donohue on the informant desk determined that there were a total of 53 such informants which have been made available, 33 of which were in the Smith Act cases.

Mr. Nichols advised at 6:35 p.m. that the Director now wants a break-down on these informants as to the types of cases being prosecuted by the Department and the number of informants made available in each type of case. He also wants to be sure we include in this compilation the number of informants which have been made available to Immigration and Naturalization Service in connection with the deportation proceedings. He wants this information the first thing Monday morning.

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cc - Mr. Belmont

ERI Mr. Hennrich

Mr. Keay

Mr. Baumgardner

Mr. Donohue

ENCLOSURE

100-418105

* We have recently, in connection with consideration of Chinese, furnished INS the identities of twenty-five other people who were concealed by "T" symbols. These persons were not regular Bureau informants but persons who had requested their names be concealed or whose names were concealed by the Bureau for various reasons other than the fact they were regular informants.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. E. V. Boardman *EPON-55*

DATE: May 17, 1955

FROM : Mr. A. H. Belmont

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 10-14-99 BY 60267 NIS/EP/00

901820

SUBJECT: DEPARTMENTAL COMMITTEE
ON SECURITY WITNESSES

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 Belmont _____
 Harbo _____
 Mohr _____
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 Rosen _____
 Tamm _____
 Sizoo _____
 Winterrowd _____
 Tele. Room _____
 Holloman _____
 Gandy _____

My memorandum of April 29, 1955, advised you that Mr. Mario Noto, Immigration and Naturalization Service (INS) representative on the above committee, had advised me that the committee would furnish the minutes to the Bureau for its information. For your information the minutes of the first six meetings of the committee were received on May 2, 1955.

The first meeting of the committee was held on April 6, 1955. According to the minutes it was decided that the records of the committee would be maintained in a classified file available only to certain executives of the Department and members of the committee.

It was further decided that the functions of the committee would be: (1) Securing the presence of witnesses when needed; (2) Coordinating their use when conflicting demands are made; (3) Determining questions of credibility where raised; (4) Determining whether action should be taken on past cases in which a discredited witness testified.

Of particular interest to the Bureau was a discussion as to the procedure to be established for determining whether a former Communist Party member may be utilized as a witness. It was concluded that, subject to Mr. Rogers' approval, the procedure would be as follows:

When the attorney in charge of prosecuting a case or proceeding proposes to call a former Party member, the attorney shall request a name check from the local office of the FBI and the local office of INS for any adverse information concerning the proposed witness. If there is no such information the witness may be called. In the event such information exists the attorney would make a report through regular channels to the committee. Final responsibility for the use of the former Party member would be left to the attorney. Clearance from the committee could only signify that in the opinion of the committee no derogatory information sufficient to preclude use had been found; the determination to have attorneys check with the FBI and immigration field offices was predicated on the assumption that all information in the Department on ex-Communist Party witnesses will be made available to the FBI and INS.

Enclosure

CC: MR. BOARDMAN
MR. BELMONT

RECORDED-27

MAY 24 1955

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(4)

MAY 27 1955

Memo from Mr. Belmont to Mr. Boardman
May 17, 1955

During a review of the minutes of the meeting of May 5, 1955, received at the Bureau May 9, 1955, it was ascertained that the committee decided that trial attorneys will request local field offices of the FBI and INS for a check of their records for pertinent information concerning former Communist Party members who are to be used as Government witnesses. Appropriate cases will be furnished to the committee for consideration.

RECOMMENDATION:

It is recommended that the Department be advised that although we have no objection to Departmental attorneys and INS personnel making name checks with our field offices, we feel that these personnel should be aware that more complete information concerning prospective witnesses may be available at Bureau headquarters and for this reason we would suggest that these name checks be made at Bureau headquarters. It is being stated that this does not change our present agreement with INS to furnish pertinent information from our local field office files upon request. If you approve, there is attached a letter to Deputy Attorney General Rogers with a copy each to Assistant Attorney General Tompkins, Assistant Attorney General Olney and General Swing.

GFM:pjm
[Handwritten initials]

cc - Mr. Boardman
Belmont
McInturff

Mr. William P. Rogers
Deputy Attorney General

May 20, 1955

Director, FBI

DEPARTMENTAL COMMITTEE
ON SECURITY MATTERS

ALL INFORMATION CONTAINED
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DATE 10-14-99 BY 60267 NIS/EP/DD
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It is noted in reviewing the minutes of the above committee for the meetings of April 6, 1955, and May 5, 1955, that the committee decided that trial attorneys of the Department and personnel of the Immigration and Naturalization Service will request local field offices of the FBI for pertinent information concerning former Communist Party members who are to testify as Government witnesses. Although there is no objection to Department and Immigration and Naturalization Service personnel making such a check of our local field offices whenever an ex-Communist is being considered as a Government witness, it is felt that more complete information may often be available at FBI headquarters in Washington, D. C.

It is, therefore, suggested that any requests for information concerning prospective witnesses be submitted to FBI headquarters rather than to local field offices of the FBI. If possible, sufficient background data should be furnished to FBI headquarters to permit a thorough search of our files when making any request for information of this type.

The above does not change our present agreement with the Immigration and Naturalization Service to furnish pertinent information from the files of our local field offices upon request.

cc - Assistant Attorney General
Warren Olney III

cc - Assistant Attorney General
William F. Tompkins

cc - Commissioner
Immigration and Naturalization Service

YELLOW: Attachment to memo from Belmont to Boardman dated 5/17/55, same caption, GFM:baw.

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Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. A. H. Belmont

DATE: May 24, 1955

FROM : Mr. F. J. Baumgardner

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 Belmont _____
 Harbo _____
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SUBJECT: DEPARTMENTAL COMMITTEE
ON SECURITY WITNESSES

EX-Communists as Witnesses

Minutes of the meeting of the above Committee on May 12, 1955, have been received.

The Committee designated Rufus D. McLean, Criminal Division, to prepare a letter for the Deputy Attorney General's signature addressed to all U. S. Attorneys advising that if from information at hand concerning any proposed witness adverse facts are present which cause the trial attorney to reasonably question the reliability of the witness, he should request the Department for advice as to whether the witness should be used.

Mr. Mario T. Noto, Immigration and Naturalization Service representative, advised the Committee that the Commissioner INS, is endeavoring to secure a position in private industry for Maurice Malkin. Malkin is the former INS informant and witness who was released from regular employment and who adopted an unco-operative attitude as a result.

The Committee discussed the derogatory information with respect to [redacted] and deferred decision as to his future use as a Government witness until the next meeting.

cc - Mr. Belmont
 Mr. Baumgardner
 Mr. McInturff

GFM:cmh
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FEDERAL BUREAU OF INVESTIGATION
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